Master Geree's *Case of Conscience* Sifted.

Wherein is enquired,

VVhether the King (considering His Oath at Coronation to protect the *Clergy* and their Priviledges) can with a safe Conscience consent to the Abrogation of *EPISCOPACY.*

Aug. *de Trin.* l. 4. c. 6.

Contra rationem *nemo sobrius, contra* Scripturas *nemo Christianus, contra* Ecclesiam *nemo pacificus senserit.*

Cypr. *Ep.* 27

Dominus noster, *cujus præcepta metuere, & observare debemus,* Episcopi honorem, *& Ecclesiæ suæ rationem* disposuit.

Dr. Corn. Burges. *Fire of the Sanctuary.* p. 68.

Men now count it an high piece of zeal to *direct their Directors*; and like *Clock-makers* to take the Church all in pieces at their pleasure.

By Edward Boughen, D.D.

London.
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TO THE

MOST EXCELLENT AND PIOUS PRINCE, CHARLES,

KING of *England, Scotland, France*, and *Ireland*, Defender of the Faith, and Guardian of the *Church*.

SIR,

IT may ſeem ſtrange to ſome; but, my hope is not to Your Majeſty, that I make this Dedication, at this time, to Your ſacred Perſon. The matter of this Treatiſe is in Your behalf; it juſtifies Your ſolemn *Oath at Coronation*, the juſt neceſſitie of this *Oath*; as alſo Your *Crown* and dignity, and the goodlieſt Floure in that Crown, *Supremacy*. To whoſe hands then ſhould I chiefly preſent it, but to Yours? The times affright me not from my faith, and duty. I remember well, that during the Eclipſe of heaven and the King of heaven, there was one, that durſt acknowledge our Saviours Kingdom; and in the full aſſurance of his title, preſerr'd his petition to him as a King. And ſhall I be aſhamed to do the like? I know, You are my onely Soveraign here on earth. I know, You repreſent my Saviour in his kingly office, though Your Crown be wreathed with thorns. With all humility therefore I preſent this acknowledgement of my moſt loyall affections, which are due to Your ſacred Majeſtie, from

Your poore, but moſt
faithfull Subject,

Edward Boughen.

To the intelligent READER.

I Was intreated by a very good Friend to take Mr. *Gerees Case of Conscience* into consideration, and to bestow some pains in discloſing the weaknesse and soulnesse of his arguing. Truly I was willing to undeceive my seduced Countreymen, and yee ded to his requeſt. The Treatiſe I finde to be small, but dangerous. It aims at the ruine both of Church and Kingdom. It perſwades the King, that his *Oath at Coronation* is a wicked *Oath*, and that he ought to break it. And then wo be to his Soul, and the Kingdoms safety. Yea he affirms it to be [a] *Vinculum iniquitatis, the bond of iniquitie.* Thus he hath knit up our moſt gracious Soveraign, with all His religious Predeceſſors, in the bundle of iniquity No ſooner read I this, but [b] *my heart was hot within me; and while I was muſing* upon this, and the like blaſphemies. *the fire was kindled within me, and at the laſt I ſpake with my tongue.* [c] *Why ſhould this Shimei* blaſpheme *my Lord the King?* and [d] *ſlander the footſteps of* thoſe *anointed of the Lord*, that have ſo long ſlept in peace? [e] *Becauſe he hath done this wickednesse, the Lord ſhall return it upon his owne pate. And King* Charles *ſhall be bleſſed; and his throne ſhall be eſtabliſhed before the Lord for ever.* Conſult I pray you, with Dr. *Cornelius Burges* a feirce *Aſſembly man*, and of great authority among them; and he will tell you, that [f] *God is tender* not onely *of the ſafety*, but alſo *of the honour of* HIS ANOINTED. In ſo much, that [g] *he hath made a law to all, not to revile the Gods, nor curſe the Ruler of the people. Which Law* (ſaith he) *not onely prohibiteth imprecations, and ſeditious railings which are an* HELLISH IMPIETY, *though it be but in word onely, be the Prince never ſo impious*) *but even all rude, bitter, and unſeemly ſpeeches.* And Mr. *Nathaniel Ward* in his Sermon upon Ezech. 19. 14. *preached before the Commons*, June 30. 1647. affirmes [h] that *beſides the male adminiſtrations of Government by Magiſtrates themſelves, there is no readier way to proſtitute it, then to ſuffer vile men to* BLASPHEME

a I. D. P. 4.

Pſal 39.4.

c 2 Sam 16.9.

d Pſal 89.50.

e 1 Reg. 2. 44. 45.

f The fire of the Sanctuary p. 22. g Ib. p. 27.

h Nathan Ward p. ult.

PHEME AND SPIT IN THE FACE OF AUTHORITY. All this Matter *Geree* hath done moſt undeſervedly. If then I ſhall cleare the *Kings Oath* from theſe foule imputations, I ſhall prove Mr. *Geree* to be involved [i] *in the bond of iniquity*; And he that is ſo, [k] *his heart is not right in the ſight of God*, & [l] *he is in the very gall of bitterneſſe*. Juſt in *Simon Magus* caſe. I ſhall therefore take up S. *Peters* words, and adviſe him, to [m] *Repent of this his wickedneſſe, & to pray God, if perhaps the thought of his heart may be forgiven him*. If you conceive I have ventered upon ſome queſtions, not ſo fit to be handled, & without my Profeſſion, I beſeech you take notice, that this Miniſter hath led me into theſe undeſired, and unpleaſant pathes. He that undertakes to anſwer a book, is bound to confute all, but what he approves. Silence in ſuch paſſages, ſpeaks conſent. Good Reader, let true reaſon, Scripture, and authority guide thee, and then thou ſhalt be ſure to judge impartially.

[i] Act. 8. 23.
[k] Ib. v. 21.
[l] Ib. v. 23.
[m] Ib. v. 22.

Take notice, that *J. G.* ſtands for Mr. *John Gerees Caſe of Conſcience.*

I D. for *Jus Divinum regiminis Eccleſiaſtici.*

Sir *Robert Corton*; for his *Treatiſe, that the Soveraigne perſon is required in the great Councels, or Aſſemblies of the State.*

His Majeſties Oath publiſhed by Himſelf in an Anſwer to the Lords and Commons in Parliament. 26. May. 1642.

SIR, will you grant and keep, and by your Oath confirm to the people of *England*, the Laws and Cuſtoms to them granted by the Kings of *England*, your Lawfull and Religious Predeceſſors; and namely the Laws, and Cuſtoms, and Franchiſes granted to the Clergie by the glorious King S. *Edward*, your Predeceſſor, according to the Laws of God, the true profeſſion of the Goſpel eſtabliſhed in this Kingdom, and agreeable to the Prerogative of the Kings thereof, and the ancient Cuſtoms of this Realme? *Epiſcopus.*

Rex. I grant and promiſe to keep them.

Episcopus. Sir, will you keep Peace and godly agreement entirely (according to your power) both to God and the Holy Church, the Clergie and the people?

Rex. *I will keep it.*

Episcopus. Sir, will you (to your power) cause Law, Justice, and Discretion in mercie, and truth to be executed in all your Judgments?

Rex. *I will.*

Episcopus. Will you grant to hold and keep the Laws and rightfull Customs, which the Commonaltie of this your Kingdom have, and will you defend and uphold them, to the honour of God, so much as in you lieth?

Rex. *I grant and promise so to do.*

Then one of the Bishops reads this Admonition to the King, before the people, with a loud voice.

OUR Lord and King, We beseech you to pardon & grant, and to preserve unto us, and to the Churches committed to our charge, all Canonicall Priviledges, and due Law and Justice: and that you would protect and defend us, as every good King ought to be a Protector and Defender of the Bishops and Churches under his Government.

Rex. *With a willing and devout heart I promise and grant my part, and that I will preserve and maintain to you and the Churches committed to your charge, all Canonicall priviledges. and due Law and Justice: and that I will be your Protector and Defender, to my power, by the assistance of God, as every good King in his Kingdome by right ought to protect and defend the Bishops and Churches under his Government.*

Then the King ariseth, and is led to the Communion Table where he makes a solemne Oath, in sight of all the people, to observe the premises, and laying his hand on the Booke saith,

The Oath.

The Things, that I have before promised, I shall perform and keep, so help me God, and the Contents of this Book.

The

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Mr.

Mr. GEREES *Caſe of Conſcience* SIFTED.

CHAP. I.

Whether the King may lawfully conſent to the abrogation of Epiſcopacy.

1. I Find a *Caſe of Conſcience* propoſed by Mr. *Geree*, and this it is; a *Whether the King (conſidering his Oath at Coronation, to protect the Clergie and their Priviledges) can* ſalvâ conſcientiâ *conſent to the abrogation of Epiſcopacy?* But why (I pray you) is the queſtion propoſed here, when you have determined it before? For doth not your Title page ſpeak thus? In this Caſe of Conſcience *it is cleared, that the King may, without impeachment to his Oath, touching the Clergie at Coronation, conſent to the Abrogation of Epiſcopacy.* Thus you have full magiſterially determined, before the queſtion be ſo much as propoſed. Is this the faſhion, firſt to reſolve, and then to argue the caſe? This may be the courſe of Hereticks; it is otherwiſe with good Catholicks. But you are reſolved to maintain, that a Chriſtian may ſwear and forſwear, without the leaſt prejudice to his ſoul. a I.G. p. 1.

2. And your practice is accordingly; witneſſe the Oaths of *Allegiance* and *Supremacy*; which you with your great Maſters have taken more then once. And thoſe of your perſwaſion have taken up Arms againſt their *Soveraign Lord*, without impeachment to their *Oath of Allegiance*; and maintain that b *The Parliament is ſubordinate to no power under Heaven*, without any breach of the *Oath of Supremacie*. And your ſelf, like a good *Preacher of Gods Word*, have taken the *Oath of Canonicall obedience* to the *Biſhops*; and yet endeavour the *abrogation of Epiſcopacy*, and the extirpation of that *Order*, from whence you had your *Orders*, and without b Mr. *Challoners Speech.*

which you could have had no *Orders*.

3. Me thinks, the *Smectymnuans* ſhould not endure this Propoſition, ſince with them a *Biſhop* and a *Presbyter* are one and the ſame. Thus, while you endeavour to ruinate *Epiſcopacy*, you ſubvert the *Presbytery*, according to their tenets. I wonder much, how your *caſe* hath paſſed ſo long unlifted, and uncenſured by the Divine Matters of your learned *Aſſembly*.

4. But I ſhall take it for your beſt advantage, as it is diſtinguiſhed, or (as we ſay) a diſtinct order from *Presbytery*. I ſhall alſo take into conſideration, the ſeverall motives, which you produce for the *Abrogation of Epiſcopacy*.

c I G p.1. 5. Whereof your firſt is this; that c *there is no hope of the Kings or Kingdoms ſafetie, without an union between our King and Parliament*. I muſt confeſſe with anguiſh of ſpirit, as matters have been handled, the King and Kingdom are driven into a great ſtreight; and an *Union between our King and your Parliament* hath been prayed for, and ſought for by all commendable, or tolerable means. The hope left us is onely in our God and Saviour, whoſe cuſtome it is to d *ſcatter the proud in the imagination of their hearts; to pull down the mighty from their throne, and to exalt the humble and meek*. Thus can he e *ſhew ſtrength with his arm, and do great things for us*. And this, I hope, in his due time he will do, and reduce this Kingdom from irreligion and ſacriledge; and not caſt off the innocent with the prophane blaſphemers. Oh, that we might begge that bleſſing from Heaven, to ſee a *Parliament* rightly regulated, religiouſly minded, and with-out any by ends of their own: f *men of courage, fearing God, men dealing truly, hating covetouſneſſe*. Such, as will not be g *led by a multitude to do evil, or to ſubvert the truth*. I am certain, we ſhould then have an Union, a bleſſed *Union between King and Parliament*.

d S.Luk.1.51,52.

e Ib.v.49.51.

f Ex.18.21.

g Ex.23.2.

6. But by you it ſeems, that h there is now no probable or *poſſible* means of reconciliation left, in mans judgement, unleſſe the King yeeld to the extirpation of *Epiſcopacy*. You ſhould have added, unleſſe he lay down his Lands, Royalties, and juſt Prerogatives at his Subjects feet: unleſſe he abandon the wife of his boſome, and become a ſtranger to the Children of his loins: unleſſe he ſacrifice his friends to the malice of his foes, and the ruine of whole families to their avarice: unleſſe he caſt off the

h That ſuch an union is *tantum non* impoſſible, unleſſe the King condeſcend in the point of *Epiſcopacy* I.G.p.1.

Service

Service of God, that moſt excellent form of *Common Prayer*, and give up the houſes and lands of God, and all that is accounted holy, to ſatiate their ſacrilegious appetite.

7. But, in ſober ſadneſſe, do you beleeve that the *Abrogation of Epiſcopacy* is that, they yawn at? You are miſtaken, good brother, the *Epiſcopall houſes and lands*, as alſo what ever belongs to *Deans* and *Chapters*, to *Archdeacons* and *Prebendaries*, are the things they hunger and thirſt after; they will wipe your moathes of all ſuch morſels: as their Ordinances for the ſale of ſuch Lands have fully manifeſted.

8. And wheras you ſeem to be much troubled for his Majeſty, leſt i *he ſhould condeſcend renitente conſcientia*, againſt conſcience, *to gratifie you* in this kind, and to bring *ſin upon himſelf*. Which you perceive, and in a manner confeſſe, he muſt do, if he do, as you would have him: for you ſay, *It would be ſinfull to himſelf*. Thus you endeavour to perſwade our Soveraign into ſin, upon pretence to ſin: how you can ſalve it, we ſhall ſee hereafter. In the mean ſpace I muſt tell you, that you trouble your ſelf for the *King*, bleſſed be God, without cauſe; for we cannot perceive, that He is inclinable to *gratifie you* in this kinde. Neither doth every *reluctance of conſcience* make a grant ſinfull; but onely when my *conſcience* checks me upon juſt grounds. It is not the *renitence*, or ſtrugling, *of conſcience*, but the pulling down of Gods Ordinance, *Epiſcopacy*, that makes the ſin; though, I confeſſe, the ſin is the greater, if it be done upon deliberation againſt conſcience; let the pretence be, what you pleaſe. If this indeed ſhould prove to be the Kings caſe, which God forbid, then muſt it neceſſarily follow, that k *it would be ſinfull to him*; *and ſo he ſhould forfeit inward to procure outward peace*; *and be repreſented to times in the glaſſe of conſcience, to adventure the heavenly, to retain an earthly Crown*. Nothing more certain. Wo then be to him, or them, who ever they be, that plot, how they may endanger the Kings *earthly Crown*, that ſo they may deprive him of his heavenly inheritance. He hath been tried as gold in the furnace; he hath been enforced thorow fire and water; but for all this, with Gods bleſſing he ſhall arrive in the haven of happineſſe.

i For the King to condeſcend *renitente conſcientiâ*, though it might gratifie us, it would be ſinfull to himſelf. I. G. p. 1.

k I.G. p. 1.

9. But there is an l *Oath*, that ſtands in the way, which was *taken at the Kings Coronation. This hath been preſt by ſome Learned pens, with*

l The oath taken at the Kings Coronation hath been preſt by ſome learned Pens with that probability, &c. I. G. p. 1.

with that probabilitie, that (by your own confeſſion) *may ſtumble a right intelligent Reader.* But you are none of that number, you *ſtumble* not, but ſmoothly paſſe over ſuch rubs; and though m *they have not* hitherto *received any ſatisfactory anſwer*, yet now we ſhall have it *in Print* n. By your *pains the Objections* ſhall be *cleared*, which *while they ſtand unanſwered, caſt an ill reflection upon the King, in condeſcending to abrogate Epiſcopacy.* I beſeech you, do you dream? Who told you, that His Majeſtie had *condeſcended* to this impious and Antichriſtian demand? No, no, bleſſed be God, he hath done *Chriſt*, and his Church, and himſelf that honour, in the reſufall of this Propoſition, that His memory ſhall be glorious in our Hiſtories, and his Name high in the book of life. But for certain, *they will caſt an ill*, a foule, an infamous *reflection upon* thoſe, who ever they be, that ſhall *preſſe him* to this unchriſtian act. This you, and your *Maſters of the Aſſembly* can never avert with all your *Dutch* devices, and *Geneva* fallacies. I ſay it now, it ſhall be explained hereafter.

m Neither have they that I know, received any ſatisfactory anſwer in Print I G p. 1.

n It may be a work worthy ſome pains to reſolve this caſe, and clear your objections, that while they ſtand unanſwered, caſt an ill reflect on both upon the King in condeſcending to abrogate Epiſcopacy, and the Parliament, in preſſing him to it. I. G p. 1.

10. But why am I ſo forward, when o the *Kings Oath may be taken off two wayes; either by clearing the unlawfulneſſe of it*; or elſe by manifeſting, that p *though Epiſcopacy be lawfull, yet notwithſtanding that his Oath, the King may conſent to the abrogation of Epiſcopacy.* Both theſe your *wayes* ſhall be ſeverally taken into conſideration; and firſt for the *unlawfu'neſſe* thereof.

o The bond of the Kings Oath may be taken off two waies Either by clearing the unlawfulneſſe of it I. G. p. 1.

p Though it be granted, that Epiſcopacy is lawfull, yet notwithſtanding that his Oath, the King without impeachment may conſent to the abrogation of Epiſcopacy I G. p. 2.

CHAP. II.

Whether the Kings Oath taken at his Coronation, be an unlawfull Oath.

1. YOu ſay, and ſay truly, that a the oath, which is *vinculum iniquitatis*, the bond of iniquitie, *is void the firſt day.* And your reaſon is firme; for *Qui jurat in iniquum, obligatur in contrarium*, he that ſwears to do that, which is unjuſt, is bound to performe the contrary. Your argument hitherto is good; and upon theſe very grounds we will joyne iſſue. But how will you proove, that his Majeſtie hath ſworne to uphold that, which is unjuſt,

a It was *vinculum iniquitatis*, and ſo void the firſt day: for *qui jurat in iniquum obligatur in contrarium*, J. G p. 1.

unjuſt or impious? This ſhall be done by manifeſting that b the King hath ſworne to maintaine that, which is *contrary to Chriſts Inſtitution*. And what is that? *Epiſcopacy*, ſay you. Your reſolution is high and peremptory, as if you were ſettled upon infall ble grounds; which upon juſt tryall will diſſolve into ſand. And yet with you I readily acknowledge, that c *If Prelacie in the Church be an uſurpation contrary to Chriſts Inſtitution; then to maintain it, is to ſin, and all bonds to ſin are fruſtrate.*

b I.G. p.1.

c I. G p. 1.

2. I hope you uſe no tricks; but fairely without any fallacie, according to the *queſtion* propoſed, by *Prelacie* you mean *Epiſcopacy*, properly and ſtrictly ſo called. Otherwiſe there are foure termes in your ſyllogiſme. Now if this propoſition be firme, upon the ſame grounds it will follow, you cannot deny it, that *If Supremacie in the Parliament be an uſurpation contrary to Chriſts Inſtitution; then to maintain it, is to ſin.* But *Supremacie in the Parliament* is an uſurpation contrary to Chriſts Inſtitution; *Ergo* to maintaine it, is to ſin. That *Supremacie in the Parliament* is contrary to Chriſts Inſtitution, is evident by St. *Peter*, who placeth *Supremacie in the King*; in theſe words, d *Submit your ſelves to every ordinance of man for the Lords ſake, whether it be unto the* KING *as* SUPREME, *or unto* GOVERNOURS, *that are* SENT BY HIM, by the *King*. And every rationall man cannot but diſcerne, that there can be but one, not two *Supremes*, in the ſame Kingdome, e as you would have it. But of this more fully in the laſt Chapter. Secondly, it followes, If *ordination by Presbyters* be an uſurpation contrary to Chriſts Inſtitution, then to maintain it, is to ſin. But *Ordination by Presbyters* is an uſurpation contrary to Chriſts Inſtitution. To maintain it therefore is to ſin. The minor with Gods bleſſing, ſhall ſuddenly be made good againſt the *Presbyterian Jus divinum*. Thirdly, If *Epiſcopacy in the Church* be *no Uſurpation, but Chriſts Inſtitution*, then to endeavour the extirpation thereof, is ſin. But *Epiſcopacy in the Church is no uſurpation*; but Chriſts Inſtitution. Therefore to endeavour the extirpation thereof, is ſin.

d 1 S Pet. 2. 13, 14.

e I.G. p. 90.

3. That f you, your Aſſembly, and Parliament, have made and taken an oath to extirpate *Epiſcopacy*, is too notorious to be denyed. But if I ſhall prove, that *Epiſcopacy is not contrary to Chriſts Inſtitution*, then ſhall I cleare the Kings oath from ſin. Secondly,

f Solemn League and Covenant.

if

if I ſhall demonſtrate, that *Epiſcopacy is the Inſtitution of Chriſt*, then is your *Covenant* g *vinculum iniquitatis*, the very bond of iniquitie; and you are bound in conſcience publickly and penitently to retract it. That the ſame *Order* cannot be Chriſts Inſtitution, and contrary to *Chriſts* Inſtitution, is ſo apparent a truth, that a meer idiot may diſcern it. But the *Order of Biſhops* is Chriſts Inſtitution: and yet ye have ſworne to up with it *root and branch*. Much like to thoſe in the Prophet, h *Let us deſtroy the tree, with the fruit thereof*. And yet the *root of Epiſcopacy is our B. Saviour*; Who is called i the *Biſhop of our ſoules*; from him it takes his riſe; from him it receives life, it ſprings up, and is watered with the dew of his heavenly bleſſing.

g J. G. p. 1.

h Ier. 11, 19.

i 1 S. Pet 2, 25.

4. We know, that he, from whom a familie ſprings, is called the root of that familie. That* *our Saviour* is the *root of Epiſcopacy*, that from him it received being and life, is evident in the *Apoſtles* ſtrictly ſo called, who had their Orders immediately from *Chriſt*, as is evident S. *Mat*: 10. S. *Luk*: 9. S. *Io*: 20. 21. &c. To them he gave power to ordain *Apoſtles*, in *Gratis accepiſtis, gratis date*. S. *Mat*. 10. 8. ſo S. k *Ambroſe*, ſo S. l *Jerome*, ſo m *Gennadius* Patriarch of *Conſtantinople*, with ſeventy and three *Biſhops* more in a full *Synod*. Our Saviours words are Δωρεὰν ἐλάβετε, Δωρεὰν δότε, which the Greekes underſtands thus, *A gift ye have received, give ye this gift*. This Commiſſion he renewed unto them after his Reſurrection, in theſe words, n *As my Father ſent me, ſo ſend I you*. So S. o *Hilarie*, ſo p S. *Cyril*, and other with them, upon the ſtrength of this commiſſion *Chriſts Apoſtles* ordeined ſome other to be *Apoſtles*, conferring upon them the ſame honour and power which they themſelves had received from *Chriſt*. This is evident in S *Iames* Biſhop of *Hieruſalem*, in *Epaphroditus*, Biſhop of *Philippi*, and in *Apollos* Biſhop of *Corinth*. Theſe are called *Apoſtles* in Scripture; S. *Iames*, Gal. 1. 19. *Epaphroditus*, Phil. 2. 25. *Apollos*, 1 Cor. 4. 9. And theſe are confeſſed to be *Apoſtoli ab ipſis, Apoſtolis ordinati, Apoſtles ordained by the Apoſtles*; Even by q S. *Jerome*, r *Calvin*, and your mighty champion ſ *Walo Meſſalinus*.

* As Scripture is the Rule of Church-Government, ſo *Chriſt is the ſole root* and fountain whence it originally flows I. D. p. 50

k Ambr. de dignit Sacerd c. 5.

l Hieron. in Mat. 10. 8.

m Gennad apud Balſam. p. 1085.

n S Ioh 20. 21.

o Hilar in Mat. can 10

p Cyril in Io. l. 12 c. 55.

q Hieron in Gal. 1. 19.

r Calvin in 1 Cor 4. 9.

ſ Wal. Meſſal. p. 41.

5. *Apoſtles* they were at that time called, but afterwards that title, upon juſt occaſion was taken from them, and the name of *Biſhop* was ſetled upon them, and their ſucceſſors in Office. So *Theodoret*. t *The ſame perſons were ſometimes called both Presbiters and Biſhops*,

t Theod in Philip. 1 1.

Biſhops, but thoſe who are now named BISHOPS, *were then called* APOSTLES. *But in proceſſe of time the title of* APOSTLE *was reſerved to thoſe, who were* ἀπόστολοι, APOSTLES *properly and truly ſo called. And the name of* BISHOP *became appropriated to thoſe, who were lately called* APOSTLES. Hence is it, that *Timothy* and *Titus* are called *Biſhops* and *Apoſtles*: *Biſhops* in the poſtſcripts of thoſe Epiſtles, which were written to them by S. *Paul*; but *Apoſtles* by k *Ignatius*, l *Theodoret*, and m many other.

k Ignat. ad Eph.
l Theodoret. in 1 Tim. 3 1.
m Walo. Meſſal. p. 40 43.

6. *Biſhops* they were at that time called, when *Epiſcopacy* was diſtinguiſhed from the *Presbyteriall Order*; But n *Apoſtles* they were named, when a *Biſhop* and a *Presbyter* were one and the ſame. Theſe were o *Apoſtles* not onely by name, but *in office* and power; and p governed Churches and their *Presbyter-Biſhops* by the ſame right, and with the ſame authority, that the *cheiſe* and prime *Apoſtles* ſwaied them with. And as they governed, ſo they, and *they onely ordained Presbyters.*

n Ibid p. 53.
o *Timotheus Apoſtoli munere & officio functus eſt* Ib p. 42. 52.
p Ib. p. 47 50. 244.

7. From hence we argue thus. They, that have the ſame name and office with the *true Apoſtles*, are of the ſame order with the true *Apoſtles*. But *Biſhop Timothy*, and *Biſhop Titus*, and *Biſhop Epaphroditus* have the ſame name and office with the *true Apoſtles*. They are therefore of the ſame order with the *true Apoſtles*. q The *major is Smectymnuus* his Propoſition, and not to be doubted of. The *minor*, or ſecond Propoſition ſhall be juſtified by *Salmaſius*; who in ſeverall paſſages acknowledgeth this name, and office, and power in *Epaphroditus Biſhop of Philippi*. Take this for all; r *Epaphroditus Paulo dicitur Apoſtolus Philippenſium; quis ad Philippenſes eum miſer at ad Eccleſiam eorum confirmandam, & conſtituendos in eâ Presbyteros & Epiſcopos*. That the *name of Apoſtle* was uſually given to *Timothy* and *Titus*, I have already manifeſted. That the *Apoſtolicall power* was in each of them, is evident by thoſe Epiſtles, which S. *Paul* wrote unto them: and more briefly in theſe words to *Titus*. s *For this cauſe left I thee in Creete, that thou ſhouldeſt* SET IN ORDER, or redreſſe, WHAT IS WANTING, or amiſſe, *and* ORDAIN PRESBYTERS *in every City as I have appointed thee*. Herein is both Juriſdiction and Ordination allowed him; and the maine power of the *Apoſtolicall Order* conſiſts in *Juriſdiction* and *Ordination*. Herein the *Biſhops*, and *onely Biſhops*, ſucceed them.

q Smect. Anſw. to the Remonſt. p. 21. & 26.
r *Epaphroditus* by S. *Paul* is called the *Apoſtle of the Philippians*, becauſe he had ſent him to the Philippians to *confirm* their Church, and therein to *ordain them Presbyters and Biſhops*. Walo. Meſſal p. 52.
s Tit. 1. 5.

8. Since then the *Apoſtleſhip* and *Epiſcopacy*, are one & the ſame Office,

Office, he that is the root and author of the one, is the root and author of the other. But *Christ* is the root and author of the *Apoſtleſkip*; he is therefore the *root and author of Epiſcopacy*. In Covenanting then to take away *Epiſcopacy* root and branch, you have done no leſſe then Covenanted to take away *Jeſus Chriſt*, t *who gave the Apoſtles*, and u *ordeined them in the Church*. Indeed ye have taken the ready way to *root* him out of our hearts & ſoules. For ye have abſolutely ſtripped the Church of the three *Creeds*, the ten *Commandments*, and the *Lords Prayer*, with the *Epiſtles* and *Goſpels*; wherein was daily mention made of our B. God. and Saviour, as alſo of his power, pleaſure, and mercy. And what I pray you, is become of the *Lords Supper*, x which we are commanded to adminiſter and receive, *in remembrance of our B. Saviour?* And y *unleſſe we eat his fleſh, and drink his blood*, in that holy Sacrament, *we have no life abiding in us*. Many Pariſhes in this Kingdom have been utterly deprived of this heavenly Supper, even ſince their lawfull *Parſons* or *Vicars* have been impriſoned, or ſequeſtred by your inſtigation. So farewell *root and branch*, and fruit, as much as in you lieth. And now, I hope, the *Kings Oath* is cleerly diſcharged of ſin; and *your Covenant* ſufficiently proved to be the *bond of iniquity*.

t Ephes. 4 11. 1 Cor. 12 28.

x S. Luk. 22 19. 1 Cor. 11. 24, 25.

y 6 Joh. 6. 53.

9. But how comes it to paſſe, that *if root and branch* muſt up, yet by your *Ordinance* ſome *branches* of that *root* may be preſerved? For it is reſolved, that z *Ordination performed by a* BISHOP, being *a Presbyter, joyned with other Presbyters, is for ſubſtance valid, and not to be diſclaimed by any, that have received it*. And moſt probable it is, that you are a *branch*, or ſucker, of that *root*. For a *Presbyters ſo ordained, ſhall be admitted to a charge, without any new ordination*. Is not this a flat contradiction? ſome *branches* lopped off, and ſome ſpared; is this according to your *ſolemne league and Covenant?* Indeed had they taken all *branches* away, which ſpring from that *root*, there had hardly been a man of any learning left. And is not that *Clerke*, who hath been ordeined by a *Biſhop*, a wiſe man, to ſware to *root* himſelfe up, if not here, yet out of the land of the living. For he that is not a member of the Church militant, can never be a Saint in the Church triumphant.

z Ordinance for Ordinat. p. 2.

a Ib. p. 23.

CHAP.

CHAP. III.

Whether Prelacy *in the Church of England were an uſurpation.*

1. THe Queſtion propoſed is, of *Epiſcopacy*; the *Oath* is for the maintenance of *Epiſcopacy*; and your endeavour is for the *abrogation of Epiſcopacy*. According to your ſenſe therefore, by *Prelacy* I underſtand *Epiſcopacy*, which you have vowed and covenanted to extirpate. Whether upon juſt grounds, or no, ſhall be now enquired. For the Office is either good or bad, lawfull or unlawfull, neceſſary or indifferent. If in it ſelf *bad*, and utterly *unlawfull*, God forbid, but we ſhould joyne in the *extirpation* of it. If *indifferent*, it is in the breaſt of authority, to allow, or diſallow it. But if ſimply *lawfull*, and *good*, and *neceſſary*, for the being and continuation of a Church, then is it not in the juſt power of man to diſcard it, or caſt it off. And yet you reſolve, that [b] the *Kings Oath to uphold Epiſcopacy is ſin*. If *ſin*, then it neceſſarily followes, that *Epiſcopacy* in it ſelf is naught, and utterly unlawfull. Thus in the firſt place you condemne all the Kings and Queens of this Kingdome, that have taken this oath. Secondly, you condemne thoſe many Saints of God, that have diſcharged this Office of *Epiſcopacy*. Thirdly, You condemne all thoſe Fathers, and Counceis, which juſtify a neceſſity of *Biſhops*. And laſt of all you condemn the whole Church of Chriſt, which from her Infancie hath been governed by *Biſhops*. Is not this to [c] *blaſpheme the footſteps of the Lords anointed?* Is not this to queſtion the actions of thoſe *Saints* [d] *to whom the Faith was firſt delivered?* Is not this to vilifie the Spouſe of *Chriſt*, and *Chriſt* himſelfe, who hath ſuffered the Church to erre ſo foully from the beginning.

[b] I.G.p.1.

[c] Pfal 89 50.

[d] S. Jude v. 3.

2. But how ſhall it be proved, that *Epiſcopacy* is ſo bad, that it is a ſin to defend it? An univerſall Propoſition muſt have an univerſall Proofe. *Ex particulari nonneſt ſyllogizari*. A particular makes no proofe, but for that particular, whereof it treats. If I manifeſt, that *Monarchy*, or *Ariſtocracy* hath been

abuſed in ſuch a State or Nation, by ſuch or ſuch a Prince, or Peeres, do I therefore juſtifie, that it is a ſin to defend *Monarchy*, or *Ariſtocracy*; Or if I ſhall make it appeare, That ſome Parliament men have abuſed that truſt, which is committed to them, is therefore a *Parliament* naught? This follows not; but hereby I manifeſt, that they who at that time ſat at the helme in that place, did abuſe that, which in it ſelf is good. Is the *Apoſtleſhip* naught, becauſe *Judas* abuſed himſelf and that? Is *Epiſcopacy* bad, becauſe *Gregory* VII. of *Rome*, *George* of *Cappadocia*, or *Paulus Samoſatenus* abuſed their place and function? Far be it from me to argue, or conclude in this manner. I have learned to diſtinguiſh between the office and the Officer: The Office may be ſimply good, and the Officer extremely bad. This then is no argument againſt *Epiſcopacy*, though perchance you may prove, that *Epiſcopacy* hath been ill managed.

3. But veiw we your own words, which are the *minor* of your conditionall Syllogiſme; which are theſe. e *And truly as Prelacy ſtood with us in England ingroſſing all ruledome in the Church into the hands of a few* L. *Biſhops, I think it may be cleered to be an uſurpation. And truly I think not.* So you and I are of two ſeverall opinions. But *truly* your *thinking* ſhall be *cleered by this one argument.* f *That power, that diſpoiles any of Chriſts Officers, of any Priviledge, or duty indulged or injoined them by the word of God, that power is an uſurpation againſt the word. But this Prelacy did, as it ſtood in England. Ergo, Engliſh Prelacie was an uſurpation againſt the word of God.*

e I.G. p. 1.

f I.G p 1.

4. How properly you ſpeake, and how ſtrongly you argue, let the intelligent judge: That you, and others may be ſenſible of the ſtrength of your argument, under favour of *Parliament*, I ſhall invert it thus. *That power that deſpoiles any of Chriſts Officers of any priviledge or duty indulged or injoined them by the word of God, that power is an uſurpation againſt the Word. But this* the Parliament *doth, as it ſtands* now *in England. Ergo, the Engliſh Parliament is an uſurpation againſt the word of God.* I hope you know your own argument; though it alter a terme, it alters not the forme. g *The Major*, you ſay, *is cleer of it ſelf*, it needs no proofe, as you conceive. The difficultie is in the *Minor*; and that I

g I G. p. 1.

make

make good this, out of your own words. h *Presbyters are by Christs warrant, in Scripture indued with power to rule in their own congregations, as well as preach.* But the Parliament hath baniſhed many hundreds of us from *our own congregations, and barred us from preaching* therein. *Ergo*, The Parliament hath deſpoiled many of *Chriſts officers* of their priviledges and duties indulged, and injoyned them by the Word of God. You cannot deny us to be *Chriſts officers*, ſince we are *Presbyters*. That we are *Presbyters*, is acknowledged by your great Maſters; i who grant all thoſe to be *Presbyters, who have been ordained by a Biſhop joyned with other Presbyters*. And ſo, I am ſure, we are.

h I. C. p. 2.

i Ordinance for Ordinat. p. 2.

5. Let a review be taken of the ſoliditie of your former argument; and then we ſhall finde you offend *in limine*, in that *Major*, which is *ſo clear of it ſelf*. For do not you ſay thus? *That power, that deſpoils any of Chriſts officers of any priviledge, or duty indulged or injoyned them by the Word of God, that power is an uſurpation againſt the Word.* Had you ſaid, *That power, that* wrongfully, or cauſeleſly *deſpoils any of Chriſts officers*, &c. you had ſaid ſomething. You have not, it ſeems, learned to diſtinguiſh between *juſtly* and *unjuſtly*; but we muſt. And yet k *this Propoſition is clear of it ſelf*, if we take your word. But Gods Word and yours, are two. Gods Word ſaies, l *Non eſt poteſtas niſi à Deo, There is no power but of God*; but you ſay, that there is a *power*, which is *an uſurpation againſt the Word of God*. But how can that be *uſurpata*, which is *data*; both *uſurped*, and *given?* That it is *given* by God, m our Saviour teſtifies, S. *Joh.* 19. 11. Indeed this *power* may be abuſed; and the *abuſe of this power is an uſurpation*. The *office* is from God, the *abuſe* from our ſelves. But you cannot, or will not diſtinguiſh between the *office* and the *abuſe*. If all *offices* muſt be diſcarded, becauſe the *officers* have done amiſſe, what office will remain in this Kingdom? I fear, not one.

k I. G. p. 2.

l Rom. 13. 1.

m Thou couldſt have no *power* at all, againſt me, except it were *given thee from above* S. Jo. 19. 11.

6. We read, that n *Paſhur* the High Prieſt ſet *Jeremie* the Prophet in the ſtocks for preaching the truth, o which the Lord had commanded him to preach. And yet who dares ſay that the High Prieſthood in the old Law was an *uſurpation?* We know, that p the office of a King is Gods own ordinance; and yet we dare not ſay, that the power of *Jehoiakim* King of *Juda*

n Ier. 20, 2.

o Ier. 19. 14.

p Prov. 8. 15.

was an *usurpation against Gods Word*, when q he slew *Urijah* the Prophet. But we may safely and truly justifie, that he abused his power. And so did King *Zedekiah*, when r he imprisoned *Jeremiah* for propheſying, what the Lord had injoyned him to denounce. Both *Regall* and *Prieſtly power* are the gift of God; they cannot therefore but be good. But the abuſe of this power to other ends then God gave it, is the viciouſneſſe of man, and therefore bad. s *Solomon* made juſt uſe of this power, when he *deſpoiled Abiathar* the High Prieſt not onely of his priviledges, but alſo of his office, and of all that belonged to his office. The reaſon is, becauſe t *Abiathar* for his treaſon deſerved this and an heavier doom. And I preſume, it was no *usurpation* in St. *Paul*, when u he delivered *Hymeneus* unto *Satan, that he might learn not to blaſpheme*: nor yet when he x anathematized and accurſed thoſe *Preachers*, that *taught otherwiſe, then they had received*. If then our *Biſhops* have made uſe of this *power* in ſilencing or depriving hereticall, ſchiſmaticall, or ſeditious Preachers, y they have done no more then they ought to do. This therefore is no *usurpation*; but a juſt uſe of that *power*, which with their Orders was conferr'd upon them for this end and purpoſe.

q 1 Ier. 26. 23.
r Ier. 32. 3.
s 2 Reg. 2. 27. 35.
t Ib. v. 26.
u 1 Tim. 1. 20.
x Gal. 1. 9.
y 2 Tim. 3. 2. &c.

7. I have done with your *Major*; now to your *Minor*. z *But this Prelacy did, as it ſtood in England.* What did it? why it a *deſpoiled Chriſts officers* (the good *Presbyters* that preached up the Scottiſh diſcipline and doctrine) *of their priviledges indulged, and duty injoyned them by the Word of God.* If they deſerved this cenſure, it was no *deſpoiling*, but a juſt deprivation. If they deſerved it not, let it be proved. I am ſure, Courts and Committees have been long enough open, to receive large informations, and eaſie proofs againſt them. And I am as ſure, that our Saviour never *indulged* any ſuch *priviledge* to his *Apoſtles*, or any other of *his officers*, as to vent hereſie, ſchiſme, or ſedition. If any *Biſhop* be faultie, I plead not for him. I juſtifie *Epiſcopacy*, not the *Biſhop*. *Judas* was bad, but his *Epiſcopacy* good; *Judas* offended, but not his *office*. *Judas* was cut off, not his *Epiſcopacy*; b the office is continued, and a good man *muſt* be put into it. So St. *Peter*. And c *let another take* HIS BISHOPPRICK. So the Spirit of Prophecie. *Prelacy* therefore is not in fault;

z I. G. p. 1.
a Ib.
b Act. 1. 22.
c Act. 1. 20.

fault; but the *Prelate*. And it is as falſe a ſpeech to ſay, *Prelacy deſpoils* any, as to ſay, *Judicature* wrongs any. Since we know, that *Judicature* is blameleſſe, when the *Judge* is criminous. And as improper a ſpeech it is to ſay, that a man is *deſpoiled of his duty*: I may be forbidden my *duty*, but not *ſpoiled* of it: becauſe I am bound to diſcharge it, though forbidden, if unlawfully forbidden.

8. But what are theſe *priviledges*, and *duties*, whereof they are ſaid to be *deſpoiled*? The particulars are theſe; d *Power to rule, and to preach in their own congregations*; and this *power they are indued with by Chriſts warrant*. *Power to Rule*, and *by Chriſts warrant*, ſound high, and raiſe attention. And this they have *as well*, as much, *as power to preach*; if we may beleeve you. As if they had *ruledome* (as you call it) from *Chriſt* himſelf. If this be doubted of, you give us Scripture for it, and that in foure ſeverall texts. The firſt is this, e *If any cannot rule his own houſe, how ſhall he take care for the Church?* Here is *care* to be *taken for the Church*, but no *rule* given to a *Presbyter* in the *Church*, unleſſe you allow him as much *power to rule* in his Pariſh, as he hath in *his own houſe*. To which aſſertion no man, I conceive, will ſubſcribe. It is required indeed, f if any Lay-man deſire to be a *Presbyter-Biſhop*, that before he be ordained, he be known to be ſuch a one, g *that could rule his own houſe well*. But what is this to prove, that *by Chriſts warrant in Scripture a Presbyter is indued with power to rule in his congregation*? Alas, h *this government*, as your learned brethren confeſſe, is but *domeſticall in private families*; not *Eccleſiaſticall* in the publick *congregation*. In like manner i *Deacons* muſt be *ſuch, as rule their houſes and children well*. And yet ye allow them no *ruledome* in the Church, but ſet *Lay-Ruling Elders* to over-top them. No *warrant* here for this *Presbyteriall ruling power*; what may come hereafter, ſhall be examined.

9. The next proof is from the ſame Epiſtle; the words are theſe; k *I charge thee before God, and the Lord Jeſus Chriſt, and the elect Angels, that* THOU OBSERVE THESE THINGS *without preferring one before another, and do nothing partially.* This is ſomething, were it to the purpoſe. Here is a large authoritie given to *Timothy* in this Chapter; and a charge in this verſe,

d Presbyters are by Chriſts warrant in Scripture indued with power to rule in their own Congregations, as well as to preach. See 1 Tim. 3. 5 & 5. 22. Heb. 13. 17. 1 Theſ. 5. 12. 1 G. p. 2.

e 1 Tim. 3. 5.

f 1 Tim. 3. 2.

g Ib. v. 4.

h I. D. p. 120.

i 1 Tim. 3. 12.

k 1 Tim. 5. 21.

verſe, that he be carefull to diſcharge his office with integritie. But what is this to the point in queſtion? Alas, you are clean miſtaken in your mark. It reſts upon you to prove, that this power in Scripture is given to a *Presbyter-Biſhop*; whereas it is here given to an *Apoſtle-Biſhop*; who is clean of another, an higher order. If I ſhould juſtifie, that a *Sergeant at Law* hath power to hear and determine Suits in *Weſtminſter-Hall*, becauſe the *Juſtices of the Kings Bench*, and *Common Pleas* have ſuch a Commiſſion, you would think, I were beſide the cuſhion; and ſo are you.

10. In the third place, you produce a text of the ſame Apoſtle to the *Hebrews*; where-in he commands his brethren, to l *obey thoſe, that have the over-ſight of them, and to ſubmit themſelves* unto them. No queſtion, but they ought to do ſo. But who are theſe *Præpoſiti*, theſe *Rulers*, here mentioned? Are they *Presbyters* onely? *Presbyters* are not mentioned here; and it is impoſſible to prove, that *Presbyters* onely are intended here; unleſſe they be the onely *Church-governors*. It is rather to be beleeved, that all *Church-governors*, or elſe the chief Governors, were here intended. That he ſpeaks of *Presbyters*, I deny not; but that he ſpeaks of *Presbyters onely*, I utterly deny. When you can prove, that onely *Presbyters* m *watch for the ſouls of the people*, and that they onely *muſt give an account* for thoſe ſouls, then ſhall I readily acknowledge, that the Apoſtle ſpeaks only of *Presbyters* in this place.

l Heb. 13. 17.

m Ib

11. If the Kings Majeſtie ſhould command his Souldiers to obey their Commanders, cou'd any man imagine, that he ſpake of the *Lieutenants* and *Captains* onely? No wiſe man can have this imagination: but this muſt reach, to *Majors*, and *Collonels*, and all other in authority. Thus, when the Lord commands his people, to *obey thoſe* Governors, *that watch for their ſouls*, he means not onely *Deacons* and *Presbyters*, but *Biſhops* alſo. For as in an Army there are *Captains* over ſouldiers, and *Commanders* over *Captains*; ſo in the Church, which is n *acies ordinata*, a well-ordered Army, there are o *Præpoſiti populo, & Præpoſiti Presbyteris*, Spirituall Governors of the people, and ſome ſet over both people and *Presbyters*. Such were the *Apoſtles* in Scripture, and ſuch their συνεργοι, their copart-

n Cant 6 3.

o Epiſcopus eſt presbyteris præpoſitus Cypr ep. 10 p 2 Cor. 8. 23. Philip. 2. 25.

ners

ners in labour, and ſucceſſors in office; whom we now call *Biſhops*. Such were *Timothy* and *Titus*, q who had not onely the power of *Ordination*, but of *Juriſdiction* alſo: that is, they had authoritie, not onely to ſet in order, what was amiſſe in the Church, and r to reform the Laitie; but to 1. convent, 2. ſilence, and 3. excommunicate the Clergie, even *Deacons* and *Presbyters*, if they deſerved it.

q 1 Tim 5. 22. Tit. 1. 5.

r 1 Tim. 3. 5. Tit 2. 15. & 3. 10.

12. For *convention*, in the firſt place obſerve, that s S. *Paul* acknowledgeth in *Biſhop Timothy* power to *receive an accuſation* againſt a *Presbyter*, or *Elder*; and upon proofe to *rebuke him*. Which could not be done without *conventing* him. 2ly. That the power to *ſilence preaching Presbyters* was in *Biſhop Timothy*, theſe words manifeſt, t *Thou maieſt command ſome that they teach no other doctrine*. And as for *Biſhop Titus* u δεῖ ἐπιστομίζειν, it *behoves him to ſtop the mouths of the diſobedient and deceitfull*, as alſo to x *ſtay fooliſh queſtions and contentions*. And if this will not ſerve, then muſt they proceed to higher cenſures even to *excommunication*. For doth not S. *Paul* command *Timothy*, to y *withdraw himſelf from thoſe, that teach unwholſome Doctrine?* And what this means let Beza ſpeake; z *Graviſſime damnatos extra Eccleſiam ejicit, he caſts forth theſe as condemned men out of the Church*. For as S. *Cyprian* ſpeaks, a *They that are not in communion with the Biſhop, are out of the Church*. *Timothy* then being *Biſhop* of that Church, and withdrawing his communion from them, they were no longer members of the Church. This power, we ſee, was in the *Apoſtle Biſhops*; but no man can ſhew that ever it was in the *Presbyter Biſhops*, *Par enim in parem non habet poteſtatem*; it is a ſure rule, that *no man hath power over his equall, while his equall*.

s 1 Tim 5. 19.

t 1 Tim. 1. 3.

u Tit. 1. 11.

x Tit. 3. 9.

y 1 Tim 6. 3. 5.

z Beza & Piſcat. in loc.

a *Si qui cum Epiſcopis non ſunt, in Eccleſiâ non ſunt.* Cypr. ep. 69. n. 31.

13. The laſt place is reſerved for the firſt in Scripture, which you have kept for your reſerve to help at a dead lift; and this it is. b *We beſeech you, brethren, that ye know them, which labour among you, and are over you in the Lord, and admoniſh you*: A great friend of the *Presbytery* tels us that c *this is the ſame with that, which the Apoſtle ſpeaks in another Epiſtle, that thoſe Presbyters are worthy of double honour, who labour in the word and doctrine*. So then, in his judgement, this *rule*, you ſo much boaſt of is, but your *labouring in the word and doctrine*. And ſurely he hath two able men,

b 1 Theſ. 5. 12.

c Hilar. Dial. Rom. in loc. apud Ambroſ.

men, that back him very well, *viz. Theodoret* and *Calvin*. *Theodoret* tels us, that when S. *Paul* saith, *Qui præsunt*, *those that are over you in the Lord, it is all one, as if he had said, they that offer up prayers and supplications for you.* And *Calvin* thus, *Qui* DOCENDO *rite & fideliter* GUBERNANT, *who by* TEACHING *orderly and faithfully* GOVERN the people. And elsewhere he expounds this kind of *Governing* by *bonis & salutaribus consiliis populo præire, by guiding the people with good and wholesome counsell. The Preists rule* then consists in 1 *Prayer* for Gods people, in 2 *Admonishing*, 3 *Instructing*, and 4 *Advising* them; as also in 5 conveying to them those heavenly blessings by the *Sacraments*; which in an ordinary way they could not otherwise obtain. This is all the *rule*, that I can find belonging to *Presbyters*. And this was ever allowed you in your own Congregations, while ye behaved your selves as the Ministers, of *Christ* in all meekness and sobriety, dividing the Word of God aright; and while ye kept within the rule of faith.

14. Thus your *ruledome* (my fellow *Presbyters*) is come to no great matter by these texts. Shew me one place of Scripture, that allowes *Presbyters* to *excommunicate*, or *absolve*, of their own authority: and I shall be of your mind, and justifie, that ye have susteined much wrong; If ye have been suspended from officiating, or silenced, ye may thank your unbridled tongues, which have been so lavish in venting unsound and seditious doctrine. The *Bishop* in these cases hath but discharged that dutie, which is required of him by Gods Word. 1 *Tim.* 6. 3. 5. 2. *Tim.* 3. 5. *Tit.* 1. 11. *Tit.* 3. 9. And it is no more, then the *Presbytery* chalengeth to it selfe in those places, where it hath gained authority.

15. That ye were *excluded from all society in Rule*, is that, which troubles you. *Society* pretends equalitie, and *Rule* is that which ye affect. So ye may be made *Bishops*, *or Bishops fellowes*, equall with them in rule and authority, all shall be well, but till then we must expect no peace, if ye can hinder it. Had your leading Church-men been made *Bishops* or *Deanes*, the *Kings oath* had been most just, and unalterable; yea unquestionable. Some mens mouths have been stopt so heretofore; the more the pitie: And ye have gaped after such morsels.

What

a Theodoret. in 1 Thes. 5. 12.

b Calvin in loc.

c Calvin Institit. l. 4. c. 3. sect. 15.

g As *Prelacy* stood in England, the *Presbyters* were excluded from all society in Rule. I. G p. 2.

What the benefit hath been, is ſufficiently diſcerned, and ambitious male-contents ſhall no more, I hope, be tempted in this manner to continue among us, when they are neither with us, nor of us. But, I pray you, what *Society in Rule*, can you chalenge with the *Biſhops*, when by Scripture ye are made ſubject to them? We know your pride; Ye would faine be hail-fellows with your Governours both Eccleſiaſticall and Civill. Faine would ye have the raines in your own hands, with *Phaeton*, though it were with the ſame iſſue. But how ſhall they learn to govern, that know not how to obey? All *Bariſters* are not qualified to be *Judges*.

16. But there is another thing, which troubles you marvelouſly, that you deem to be [h] *much more prejudiciall to the dignity and liberty of the Miniſtery*; namely to be *ſubjected to a lay Chancelour*. And yet how many *lay Chancelours* have you *ſubjected us to?* [i] To the whole *Parliament*; that's plaine; and yet not ſo much as one *Presbyter* among them: And to every *Committee-man* both in Citie and Countrie, Whoſe buſie *Aparators* are all perſons diſaffected to the Doctrine and Diſcipline of the *Church of England*. And all this is for the *dignity and liberty of the Miniſtery*, according to your new *Magna Charta*. Thus much to manifeſt, that ye are deeply plunged in thoſe crimes, which you boldly charge upon others. But this is no new, no ſtrange thing. For this hath been generally obſerved; when your great Maſters blemiſh our moſt gracious Soveraigne with any foule or illegall ſurmiſe, they uſually act it themſelves. *Domini ſimiles*, ſuch Maſters, and ſuch Chaplaines. [k] *Par autem erat, ut vel quod accuſant, non facerent, vel quod facerent, non accuſarent.* But it were meet, that either they ſhould not do, what they blame; or not blame, what they do.

17. And now, I beſeech you which is moſt *prejudicall*, to be *ſubject* to one *lay Chancelour* in a Dioceſe, or to thoſe great *lay Courts* of Lords and Commons and others at *Weſtminſter?* to ſo many *lay Committees* in the City; to ſo many in every Countie? Without whom ye are not able to ſubſiſt, nor to abide in your Congregations, if theſe men take but the leaſt offence againſt you. And how can the Gentrie and Comminaltie of this Kingdome take it well, that you complain ſo much of one

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lay Chancelour in a Dioceſe, and yet enthrall them to ſo many *lay Elders, Parochiall, Claſſicall, Provinciall*, and *Nationall*. Say not, that there be *preaching Elders* joyned with them, leaſt it be returned upon you, that the *lay Chancelour* is but the *Biſhops* Officer in ſuch caſes of Judicature, as belong to his profeſſion; and to the *Biſhop* he is accountable. But you can endure no *lay Judges* over you, on any hand. And whereas l you charge the *lay Chancelorſhip* with *uſurpation contrary to Gods direction*, I am certain, ye have made uſe of it *againſt Gods direction*. For how many of you have been inſtituted into Benefices by *lay Chancelours*? *Quo jure*, comes not now to be ſcanned. Thus ye can abuſe them, and yet uſe them. But I ſhall turn you over to the *Doctors of the Commons*; them it concerns, they are well able to argue the caſe with you, and to waſh off theſe aſperſions.

l And was not here uſurpation againſt Gods direction? I.G p.2.

18. Your firſt argument is, I hope, ſufficiently confuted in the eye of indifferent and judicious men. I ſhall not therefore any longer inſiſt upon it, but obſerve, at how low a rate you value authority. Nor *Biſhop*, nor *King*, nor your Idolized *Parliament* ſhall be a *Power*, but an *uſurpation againſt God and his Word*, if they deny you *any priviledge indulged*, or debarre you *any dutie*, which ye ſuppoſe to be *injoyned you by the word*. If they ſequeſter you from the Pulpit, or from *ruling in your congregations*, farewell my great Lords and Maſters at *Weſtminſter*. And when they have ſold the *Biſhops* and *Chapters* lands, they ſhall no longer be a *Parliament*, but an *Uſurpation*; becauſe they have m deſpoiled you of thoſe lands, which ye lay claim to, and which they ought to have diſpoſed of, *to ſupply you* and your predicant brethren with ſuch *maintenance*, as your ſelves hold ſufficient.

m I. G. p.6

CHAP. IV.

Whether the King may conſent to the abrogation of Epiſcopacy, *if ſo that calling be lawfull.*

1. SAving your argument, in the firſt place this is certain, if *Epiſcopacy be lawfull*, then the *Kings Oath at Coronati-*

on was not as you would have it *vinculum iniquitatis, a bond of iniquitie.* And hereupon it follows, *quod non obligatur in contrarium,* that he is not bound to break this oath. Take this by the way. You must then seek some other way, to *cleere* it to us, that it is lawfull for his Majestie to wave this oath. But your own conscience seemes to check you for your former resolution; you therefore confesse, that n *this way of invalidating the Kings is most satisfactory* but *to some.*

n Though this way of invalidating the Kings oath be most satisfactory to *some*, I. G. p. 2.

2. Surely if *to some* it be *satisfactory*, those *some* are such, that are either very weak, or wilfully blinded with avarice; o *Whose gaine is godlinesse.* But the end will prove, that p *Godlinesse is profitable to all things.* q *That is* (as the *Geneva Note* hath it) *he that hath faith and a good conscience, is promised to have all things necessary for this life, and to injoy life everlasting.* This would be seriously layed to heart.

o 1 Tim. 6. 5.
p 1 Tim. 4. 8.
q Gen. note in loc.

3. But though your former argument seem *satisfactory to some* r *yet to some it will not hold*; namely to *those that are not convinced of the* UNLAWFULNESSE OF EPISCOPACY. What? so *satisfactory* and *yet not hold?* Alas, alas, what creatures have you to deale with? Pitie it is, that you have to deale with learned and rationall men, and not with *Ignoramus* and his *Dull man.* What shall now become of your *Case of Conscience?* Why? s *It will cast the resolution of this doubt upon another question.* From one question to an other. And what's that? *The lawfulnesse of Episcopacy.* This is a *large field*, that you are not acquainted with. And yet to satisfie the *conscience* of your Reader, you have already concluded, that a *Episcopacy is an usurpation against the word of God*; and therefore *sinfull and unlawfull.* How? Conclude first, that *Episcopacy* is *unlawfull*, and then b *grant it to be lawfull.* But this is *granted* onely *for argument sake.* That is, because your *argument* is so loose, that it proves just nothing against *Episcopacy.* For a firme demonstration admits of no contradiction, it leaves no doubt behind.

r Yet to those that are not convinced of the *unlawfulnesse of Episcopacy*, it will not hold. I. G. p. 2
s It would cast the resolution of this doubt about the oath, upon another question touching the lawfulnesse of Episcopacy, which is a larger field. I. G. p. 2.
a I. G. p. 1. 2.
b I shall endeavour to shew, that though for argument sake, it be granted, that *Episcopacy* be *lawfull* I. G. p. 2.
c I. G. p. 2.

4. Well, be it *lawfull*, c *yet not withstanding that his Oath, the King without impeachment may in this circumstance consent to the abrogation of Episcopacy.* What mean you by *circumstance?* Is the *Kings Oath*, or *Episcopacy*, or the *abrogation of Episcopacy* but a *circumstance?* A *circumstance* is that, which is not substantiall,

or eſſentiall to the point in queſtion; but comes in upon the by; at moſt, for illuſtration. The queſtion is, d *Whether the King, notwithſtanding his oath, may conſent with a ſafe conſcience, to the abrogation of Epiſcopacy?* All theſe then I take to be eſſentiall to the queſtion; unleſſe a *ſafe Conſcience* be with you and with your brethren but a *circumſtance*. And yet it is ſuch an ingredient, that a man may neither *ſweare*, nor *conſent* to, nor act, but what he may undertake *with a ſafe conſcience*. e *For if our heart* (if our conſcience) *condemn us, God is greater then our heart, and knoweth all things*; His Majeſty, I make no queſtion, hath ſadly thought on this.

d I.G. p.2.

e 1 S.Joh.3.20.

5. That he may *abrogate* that which is *lawfull*, you ſay, and we deny not, ſince God hath given Kings a power not onely over things indifferent, but even in ſuch things, as are *lawfull*, and honeſt, and in their kind neceſſary for the preſervation of a Common-wealth. This is evident in *Jonadab* the ſonne of *Rechab*, f who commanded his poſterity, that they ſhould neither drink *Wine*, nor build *Houſe*, nor ſow *ſeed*, nor plant *Vineyard*, nor have any. And yet as *lawfull*, and neceſſary, as theſe things were, g they obeyed their fathers voice. h God approves of their obedience, and crowns it with a bleſſing. And what a father is in his own familie, that is a King, at leaſt, within his own Dominions.

f Ier.35.6,7.

g Ib. v. 8.

h Ib. v. 19.

6. But here the caſe is different, for the queſtion is concerning Chriſts own Ordinance and Inſtitution; which the King hath ſworne to maintaine. This then being *lawfull*, and legally ſworne, the oath may not in any wiſe be diſpenced with. Nay, if we ſay, that the King, or any authoritie upon earth, may alter, or aboliſh any one Ordinance of our Saviour, we contradict our ſelves, and complie with the *Papiſts*. What reaſon bring we againſt the *halfe Communion*, but *Chriſts* own inſtitution, who commanded it to be deliver'd and received in both kinds. And i *Calvin* deſervedly reproves *Biſhop Gardiner* for attributing this power to a *King*: Now if *Epiſcopacy* be our Saviours inſtitution, then may no humane power *root* it up; leaſt they that do it, be *rooted* out of the land of the living. But that this very order, which we now call *Epiſcopacy*, is Chriſts own inſtitution, is already proved *cap.* 2. 6. 7 8.

i Calvin In Amos 7. 13.

7. Beſides

7. Beſides, if this be the onely Order, to which *Chriſt* hath given power to ordaine *Presbyters* and *Deacons*, who ſhall conferr theſe Orders, when *Biſhops* are taken away, and utterly extinguiſhed? Say not, that in caſe of neceſſity *Presbyters* may ordaine, when you maliciouſly make the neceſſity. God provides for ſuch neceſſities, as are inforced upon us, or happen caſually and inevitably; not for thoſe, whereinto we wittingly and wilfully plunge our ſelves; Delve up the root, & God will hardly work a miracle to provide ſap for the branches, or body of the tree. k *Sine noſtro officio eſt plebi certa pernicies.* It is *S. Auſtins. Without our, without the* EPISCOPALL OFFICE *there is certaine ruine to the people.* S. *Auſtine* was a *Biſhop*, when he reſolved thus, and wrote it to a *Biſhop*. l That I may ſpeake plainly; God and the times require it: No *Biſhop*, no *Preiſt*; no *Preiſt*, no *Lords Supper*; no *Lords Supper*, no *Salvation*, according to the ordinary way preſcribed by our bleſſed Saviour.

k Aug. ep 180.

l *Nunc maiori libertate & fiducia veritatem profitemur: ne alioquin per timiditatem hâc pœnâ mulctemur, ut Deo minùs placeamus.* Greg. Naz. Orat. 35 n. 2.

8. This ſhall be made good, firſt according to your *Proteſtation*; ſecondly, according to your *Solemn League and Covenant*. In your m *Proteſtation*, ye have *vowed in the preſence of Almighty God, to maintain and defend the true Reformed Proteſtant Religion expreſſed in the doctrine of the Church of England.* This doctrine is punctually and carefully delivered in the 39 *Articles*. According to which *Articles* I proceed thus. The ordinary way to heaven is by the Word and Sacraments. No man may preach, or adminiſter the Sacraments, but he that is lawfully called and ſent. None are lawfully called and ſent, but they onely, who are called and ſent by thoſe, that have authority. But *Biſhops*, and onely Biſhops have authority to ſend in this kind. And therefore *No Biſhop, no ordinary way to heaven.*

m The *Proteſtation.*

9. The firſt Propoſition is not doubted of by *Proteſtant* or *Papiſt*; it is therefore taken for granted. The ſecond Propoſition is *in terminis* let down Art: 23. *It is not lawfull for any man to take upon him the Office of* PUBLICKE PREACHING *or* MINISTRING THE SACRAMENTS *in the congregation, before he be lawfully called and ſent, to execute the ſame.* The third is likewiſe expreſſed in the ſame *Article*. *Thoſe we ought to judge lawfully called and ſent, which be choſen and called to this work by men, who*

have

have publick authority given unto them in the congregation to call and send Ministers into the Lords Vineyard. And who are these men, that have this *authority? Bishops*, onely *Bishops*: So the 36 *Article. The book of consecration of Arch-Bishops and Bishops, and ordering of Preists and Deacons, doth contine all things* NECESSARY *to such consecration and ordeining. And whosoever are consecrated or ordered according to the Rites of that Book, we decree it to be* RIGHTLY, ORDERLY, *and* LAWFULLY CONSECRATED *and ordered.* But therein the *Bishop onely* hath authority to ordain. And in the Preface to the *Book of Ordination* it is resolved that *It is requisite that* NO MAN SHALL EXECUTE ANY OF THESE ORDERS, *except he be called, tried, examined and admitted,* ACCORDING TO THE FORME FOLLOWING in that Book.

10. Thus we cannot but see, that according to the expresse doctrine of this *Church of England* without a *Bishop* no Sacraments, and consequently no salvation. For though God can save without meanes, yet he hath tied us to the meanes; and the meanes must be used, if we desire to be saved n This book was composed and set forth in the time of K *Edward the sixt*, by those holy men, who afterwards were blessed Martyrs, and at the same time confirmed by full consent and authority of *Parliament*. o After this in the time of *Queen Elizabeth* it was again confirmed, and alwaies ratified with the 39 Articles; and p the Clergie injoyned to subscribe to this booke, in and with those Articles, that so they might be known to be in Communion with the *Church of England*. Thus far with the *Protestation*.

n Art 36.

o VIII *Eliz.* 1.

p XIII. *Eliz.* 12.

CHAP. V.

Whether ye have not bound your selves by your Solemne League and Covenant, to maintain Episcopacy.

1. NOw I descend to your *Solemne League and Covenant*, wherein ye have publickly vowed to endeavour the *Reformation of Religion according to the word of God, and the example of*

of the beſt reformed Churches. I ſhall therefore prove firſt by the *Word of God*, and ſecondly by the *beſt reformed Churches*, that ye have *ſolemnly* bound your ſelves to maintain *Epiſcopacy*, if ſo ye are reſolved to keep this branch of your *Covenant*.

2. Firſt, we know, that q *there is no other name under heaven, whereby we may be ſaved, but onely the Name of our Lord Jeſus Chriſt.* Secondly, we are agreed, that r *Faith comes by hearing, and hearing by the Word of God.* Thirdly, our Saviour ſaith flatly, ſ *Except ye eat the fleſh of the Son of man, and drink his blood, ye have no life in you.* We cannot therefore but acknowledge, that without the Word and Sacraments, there's no ſalvation. Since then all thoſe, that are in Orders, exerciſe t *the miniſtration of the Word and Sacraments, not in their own name, but in Chriſts, and do* MINISTER BY HIS COMMISSION AND AUTHORITY; we are therefore to enquire, who have this *Commiſſion* given them in and by the word of *Chriſt*. For S. *Paul* wonders, u *how any man can preach*, in publick, *except he be ſent.* The *Commiſſion for preaching* was immediately given by our B. Saviour, both to the *twelve Apoſtles*, and to the *ſeventy Diſciples*. To the twelve, St. *Luk.* 9.2. St. *Matth.* 28.19. To the *ſeventy*, St. *Luk.* 10.9.16. The *Commiſſion* to conſecrate and adminiſter the Lords Supper, is given to the *twelve Apoſtles*, St. *Luk.* 22. 19. 1 *Cor.* 11.24. x St. *Paul*, and y St. *Matthias* alſo were immediately admitted to the *Apoſtleſhip* by *Chriſt* himſelf. Theſe, and onely theſe, who are here mention'd, were immediately ordained by our B. Saviour.

q Act. 4. 12.
r Rom. 10.17.
ſ S.Joh.6.53.
t Artic.26.
u Rom. 10.15.
x Gal 1.1.
y Act. 1.26.

3. But our Saviour having commanded and provided, that z *All Nations ſhould be taught, and baptized*; and having a *inſtituted, and in his holy Goſpel commanded us to continue a perpetuall memory of his precious death, untill his coming again*; that this might be done, he gave his Apoſtles this large *commiſſion*, b *As my Father hath ſent me, even ſo ſend I you.* And how was that? even to preach, to baptize, to conſecrate, and adminiſter the Lords Supper; to binde ſinners, and looſe the penitent; and to ordain other *Apoſtles* and *Presbyters*, which might continue theſe bleſſings to his people in all ages. As alſo elſe-where in c δωρεὰν ἐλάβετε, δωρεὰν δότε. *A gift ye have received, give this gift.* The Greeks take not δωρεὰν adverbially, but ſubſtantively: and

z S.Mat.28.19.
a Com: Prayer book, at the Communion.
b S Joh. 20.21.
c S.Matt.10.8.

I beleeve, in the East they understand their own, the Greek tongue better, then we do in the West. And as they were commanded, they did. d S. *Paul* and S. *Barnabas* were *Apostles*; and them we find *ordaining Presbyters in every* Church, where they come. *Act.* 14. 23. e S. *Paul* himself ordains *Timothy* to be the *Apostle*, or *Bishop* of *Ephesus*. He gives the power of Ordination to *Titus*. Tit. 1. 5. And acknowledgeth it to be in *Timothy*. 1 Tim. 5. 22. These were the *Apostles*, or *Bishops* properly so called, of their severall Churches. These had the *power of Ordination*, but not the *Seventy*, not those of the inferior order, not meer *Presbyters*.

d Act. 14. 14.

e 2 Tim 1, 6.

f Rom. 10, 15.

4. Besides, doth not St. *Paul* justifie, that f *none may preach, except they be sent?* Talk not of an inward calling, or extraordinary sending. Neither of these will serve the turn, without the outward, without the ordinary Ordination. St. *Pauls* words are full to this purpose. g *No man taketh this honour* [of Priesthood] *to himself, but he that is called of God, as Aaron was.* The extraordinary calling, which some pretend to, is abolished, in that, *No man takes this honour to himself.* How then must he attain the *Priesthood?* The Apostle tels you, *he must be called of God, as Aaron was.* And how was that? *Non immediatè a Deo, sed mediante hominis ministerio*; he was not *called* or ordained immediately by God, but by the interceding Ministery of man. The Apostle therefore doth not say, *He, that is called of God, as Moses was*; but, *He, that is called of God, as Aaron was.* But we know, that though h *Moses* were immediately ordained by God, yet i *Aaron* was not, he was ordained by *Moses*. And yet both k *Moses and Aaron are among his Priests*; for *Moses* discharged the Priests office, before *Aaron* was ordained. *Exod.* 24. 4. &c. *Exod.* 29. 12. 18. 25. 36. &c. *Exod.* 30. 29. 30.

g Heb. 5. 4.

h Exod. 28. 41. Exod. 29. 9. &c.

i Levit. 8. 12.

k Psal. 99. 6.

5. I have done with your first way, having, according to your Covenant, proved by Scripture, that none may confer Orders in the Church of *Christ*, but onely *Apostles*, or *Bishops*, as we take them in a strict and Ecclesiasticall sense: that is, onely such, as are of the same order with the *Apostles*, and may fitly be called *Apostle-Bishops*.

6. We are now cast upon the *Example of the best reformed Churches*, which may raise some dust. For when we descend

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to comparisons, we cannot but displease those, who are left out of the *superlative*. Yet this I dare say, that those *Churches* are *best reformed*, which come nereest to the Primitive Church in Doctrine, and Government. For to *reform* is not to innovate, but *In primævam & veram formam reducere*, to settle it in the ancient and true state. For l *thus saith the Lord, Stand in the wayes, and behold, and ask for the* OLD WAY, WHICH IS THE GOOD WAY, AND WALK THEREIN, *and ye shall find rest for your souls*. This rule therefore is given by *Zanchius*, m *Exempla veteris Ecclesiæ nobis debent esse instar præcepti*; and your learned *Ministers of London* second him, assuring us, that n *the examples of the ancient Church bind us as firmly, as any precept*. And reason good, since o the *customs of the ancient Church* *is Optima legis interpres, the best interpreter of the Law of Christ*. The ancient Church then ought to be a pattern to all *Reformers*.

l Ier. 6. 16.

m Zanch.

n I. D. p. 21.

o Hug. Groom. de Jure belli. l. 1. c. 4. Sect. 5. & 7.

7. Well, what kinde of Government was there in the primitive Church? *Peter Moulin* testifies, that p *either in the Apostles times, or suddenly after, Bishops had prœeminance over Presbyters, in the severall Cities, wherein they were setled*. This Government is very ancient; and *in the Church of Christ every thing the* MORE ANCIENT *it is, the* TRUER AND BETTER *it is*. *Zanchius* justifies it. q *In Ecclesia Dei, quo quid* ANTIQUIUS, *eo etiam est* VERIUS, *ideoq; &* MELIUS. And lest I may seem to wrest that famous learned mans words to another sense, then he intended them, I shall give you his resolution at large concerning this point in question, *whether Bishops, or no Bishops*: and this it is. r *Hoc unum addo, me coram Deo* IN MEA CONSCIENTIA, *non alio habere* LOCO *quàm* SCHISMATICORUM, *illos* OMNES, *qui in parte Reformationis Ecclesiarum ponunt* NULLOS HABERE EPISCOPOS, *qui* AUTHORITATIS GRADU *supra veros compresbyteros emineant, ubi liquidò possint haberi. Præterea cum D. Calvino*, NULLO NON ANATHEMATE DIGNOS CENSEO, *quotquot illi Hierarchiæ, quæ se Domino Jesu Christo submittit, subjici nolunt*. These are his words in Latine; and to your comfort you shall have them in English: like them as you please. This one thing *I adde* (saith learned *Zanchius*) *that* IN MY CONSCIENCE

p Statim posteriora Apostolorum, aut etiam eorum tempora, constitutum est, ut in unâ urbe unus inter cæteros Presbyteros Episcopus vocaretur, qui in suos collegas haberet præeminentiam. Pet. Molin de Munere Past. p. 20 21.

q Zanch. de veri reformandæ Eccles. ratione. Thes. 5.

r Ib. Thes. 7. Sect. Pono.

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r Ib. Thes. 7. Sect. Pono.

before God, I esteeme ALL *those* NO BETTER THEN SCHISMATICKS, *who make it* A PART OF REFORMATION TO HAVE NO BISHOPS *in the Church (where they may readily be had) which may le above their true fellow-Presbyters* IN DEGREE OF AUTHORITIE. *Yea, with Mr. Calvin,* I HOLD THEM WORTHY OF THE MOST GRIEVOUS CURSE, *who will not submit to that* SACRED PRELACY, *which is subject to Christ.* He was far from a *Rooter.*

8. Neither is *Zanchius* alone, he hath that moderate and judicious *Melanchon* to second him; who is so right and home for *Episcopacy*, that he comes with his [f] *Ego reddo, I, for my part, restore the whole Jurisdiction and dignitie to Bishops.* And he wisheth withall, that he and the rest of his friends might redeem peace, though it were upon harder terms. Yea, he affirmes, that [g] *he sees not, quo ore, with what face they can take from Bishops their Ecclesiasticall government.* And then he adds: [x] *That I may speak my mind, Utinam, utinam* POSSEM, *non quidem dominationem confirmare, sed* ADMINISTRATIONEM EPISCOPORUM *restituere: I would to God, I would to God,* IT WERE IN MY POWER, *not to confirm the Dominion, but to restore the* ADMINISTRATION OF BISHOPS. *For I see, I see* (saith he) *what a kinde of Church we are like to have, when the Ecclesiasticall policie shall be dissolved. Video posthac* MULTO INTOLERABILIOREM *futuram* TYRANNIDEM, *quam antea unquam fuit. I see, we are hereafter like to have a* FAR MORE INTOLERABLE TYRANNY, *then ever we have known heretofore* Note that; and consider, whether experience hath not made us sensible, that his words were but a Prophecie of these times. And after this he expostulates the same businesse with *Camerarius*, and *questions*, [y] *Quo jure, by what law it might be free for them, to subvert the Ecclesiasticall Policie; if so the Bishops would yeeld unto them, what is meet?* The question being thus proposed, his resolution follows; [z] *Et ut liceat, certè non expedit; but suppose it lawfull, yet is it not expedient. Luther himself was ever of this opinion; whom some, I perceive, love meerly for this; because by his means they had shaked off their Bishops, and thereby gained Libertatem minimè utilem ad posteritatem, such a* LIBERTIE,

[f] Jurisdictionem totam, καὶ τὸ ἀξίωμα. reddo Episcopis. Melanc. ad Ioach. Camerar. ep. 99.
[g] Ib.
[x] Ib. ep 104.
[y] Ib. ep. 106.
[z] Ib.

TIE, AS WILL BE LITTLE FOR THE GOOD OF POSTERITIE. This he ſpake, and we feel. a *For what kinde of ſtate ſhall the Church be in, in after ages, if all ancient cuſtomes and manners be utterly aboliſhed, and no certain Governors eſtabliſhed?* God knows, and we imagine.

a Ib.

9. Hitherto you have ſeen, how *Zanchius* for himſelfe and *Calvin*; and *Melanthon* with *Luther*, did endeavour, even in the ſhell, to cruſh that new model, b which ye boaſt to be of *divine Right*, and yet confeſſe, that c it is *not much above fourſcore yeers ſtanding*; and that but d *in ſome Churches*. For, the truth is, ye can give us no Preſident for the *Presbyteriall Government* in any one Orthodoxe Church, for 1500 yeers after our Saviours aſcenſion. All this while the wiſedom of God, it ſeemes was breeding this truth, and ſtayed for you, and ſuch as you are, to be her midwives. Her pangs were long and doubtful, but now *Juno Lucina* hath done her part, and the ſtripling reckons foureſcore yeers, and that but in *Cantons*, in ſome odde corners of the world. Truth it is, he was creeping in here about ſeventy yeers ſince; but baniſhed he was as dangerous to the Crowne. But now he is returned in a freſh ſuite, and hath got the hand both of *King* and *Biſhops*; yea he hath put the *Peeres* ſhroadly to it; even thoſe, that complyed with him.

b L. D. Paſſen.
c L. D. Preſat. Sect. This imputation.
d Ib.

10. It may be, for all this, you will replie, that theſe are but the opinions of a few particular men. What ſay you to that memorable convention at *Auſpurg*, where met all, or moſt of the learned, that endeavoured the *Reformation*? Theſe were, at leaſt, the whole *Reformation* repreſentative; and *Melanction* gives them that very title in his *Apologie*. Wherein he tels us, that e ALL THE REFORMATION *did often profeſſe in their meetings at Auſpurg, that they deſired exceedingly, to f preſerve that Eccleſiaſticall Policie, which was ſettled by the Canons of the Church:* as alſo to *continue thoſe very Degrees in the Church, which were agreed upon by humane authority*. Theſe pious men deſired not the *ſubverſion*, but the *Reformation* both of Church and Churchmen. Yea, g by *Proteſtation* they cleer themſelves to all poſterity, that it was neither their intent, nor fault, to overthrow the *Order*, or *authority of Biſhops*. *Melanthon* therefore, in behalf

e P. Melanc. Apol. confeſ. Aug. cap. de ord. Eccleſ.
f *Politiam Canonicam non reprehendimus.* Ib. c. de Proteſt. Eccleſ.
g Ib. de ord. Eccl.

half of all his brethren, acknowledgeth, that h *Bishops have both poteſtatem ordinis, & poteſtatem Juriſdictionis, power of Order, and power of Juriſdiction.* And I beleeve, that theſe men had ſeriouſly conſidred of their *Proteſtation.*

h Ib. de Poteſt. Eccleſ.

11. But what is this, that he calls *power of Order?* Surely a *power* to do that, which *Presbyters* could not do; that is, a *power* at leaſt, *to ordain Miniſters.* For i herein by *Calvins* confeſſion, was the difference between a *Presbyter* and a *Bishop* properly ſo called, in the opinion of the ancients, that *a Bishop hath power to ordain, but not a Presbyter.* Indeed the reſolution of the ancient Church is this, k *Presbyterorum ordo non eſt potens generare patres; the whole Order of Presbyters is not able to beget Fathers*, that is, *Presbyters* for the Church; but *Bishops are able:* The Order therefore of *Bishops* and *Presbyters* is not one and the ſame. Hence it follows, that there is a neceſſity of continuing *Biſhops* in the Church, if ſo we deſire *Presbyters*; ſince without a *Biſhop* no *Presbyter*; and without a *Presbyter* (at leaſt) no *Lords Supper.*

i Veteres hoc ſæpe habent, non differre aliâre ab Epiſcopo Presbyterum, niſi quia *ordinandi* poteſtatem non habet. Calv. Inſtit. l 4. Sect 15.

k Epipha. hær. 75.

12 Beſides, your grand Champion *Walo Meſſalinus* acknowledgeth, that l *from the time that thoſe Orders and degrees were diſtinguiſhed, and that a Biſhop became greater then a Presbyter,* ORDINATION COULD NOT BE COMMON TO THEM BOTH. But thoſe *Orders* and degrees were from the beginning diſtinguiſhed by our Saviour, though not by theſe ſpecificall titles Obſerve, I beſeech you. In the firſt place m he names the *Twelve*, thoſe of the higher Order, *Apoſtles*; and after this, thoſe of the lower Order, the *Seventy*, are called *Diciples*, as I conceive, 3. Luk: 10. 22. Or elſe in the four Evangeliſts they are diſtinguiſhed from his other *Diciples* by number onely, and not by title. In the other writings of the New Teſtament they are diſtinguiſhed into *Apoſtles* and *Presbyteres*, or Biſhops. n The *Apoſtles* are *of two ſorts*; either ſuch as were immediately ordained by *Chriſt*, or ſuch as were ordained by thoſe *Apoſtles.* The former are called the *Apoſtles of Chriſt*; or o the *holy Apoſtles*; and ſometimes p the *chief Apoſtles.* The other are ſtyled q *Apoſtoli veſtri*, and r *Apoſtoli Eccleſiarum, your Apoſtles*, and the *Apoſtles of the Churches*; becauſe they had ſet Cities, and a certaine people committed to

l Vbi diſtingui ordines & gradus cæpti ſunt, atque *Epiſcopus major exiſtit Presbytero*, tum ordinatio non potuit eſſe utriuſque communis. Wal. Meſſal p 299.

m S Luk 16.13.

n Qui *Apoſtoli* vocabantur *duorum generum* fuere, primi & ſecundi. Primi à Chriſto miſſionem ſuam acceperunt, immediatè ab ipſo miſſi. Secundi ab ipſis *Apoſtolis* Walo Meſſal. p 46.

o Epheſ 3.5. Apoc 18.20

p 1. Cor 11.5. & c. 12.11

q Phil. 2 25.

r 2 Cor. 8. 23.

their

their charge. The *twelve* were ordained by our Saviour, while in the flesh he was conversant here on earth. But S. *Matthias*, and S. *Paul*, after his ascension were [f] called to be *Apostles by Jesus Christ and God the Father*. These did ordain, but not the *Seventy*, not *Presbyters*, or such as in Scripture text are called *Bishops*. S. *Paul* and S. *Barnabas* were *Apostles*; those we finde ordaining *Presbyters*, Act: 14. 23. And S. *Paul* professeth, that he ordained *Timothy*, 2 *Tim.* 1. 6.

[f] Gal. 1.

13. Let us now descend to those *Apostles*, who were ordained by *Christs Apostles*. Such were S. *Iames*, *Appolles*, *Epaphroditus*, *Timothy*, and *Titus*. None of these were immediatly ordained by *Christ*; and yet they are called *Apostles*. The three former plainly in Scripture, as is heretofore evidenced; [t] the latter by your good friend *Salmasius*. That *Timothy* & *Titus* did ordain, is too plain to be denyed; and [u] for *Epaphroditus* we have an acknowledgement likewise from *Salmasius*.

[t] Walo Messal. p. 40. 41. 43 &c.

[u] Ib p. 38.

14. These Offices were necessarily to be continued in the Church; for [x] *Christ gave them for the gathering together of the Saints, for the work of the Ministery, and for the edifying of the body of Christ* [y] *till we all grow up unto a perfect man*: Which is now but in *fieri*, in polishing, not perfected, neither will it be, till the second comming of our Lord and Saviour *Jesus Christ*. For [z] the *Church is the body of Christ*, which will have her imperfections and blemishes, till she be made fully compleat in the Kingdom of glory. Our Saviour therefore saith, [a] *Behold I am with you alwaies, even unto the end of the world*: which could not be spoken of their persons, but of their Office, [b] as is confessed by the *London Ministers*: Since their persons were shortly to leave this world; but their Office is to continue, till heaven and earth passe away. When therefore [c] S. *Paul* had lively described the *true Government of the Church*, and instructed *Timothy* the *Bishop* of *Ephesus* [d] *how he ought to behave himself in the Church, he charged him in the sight of God, and before Jesus Christ,* [e] *that he keep these commands without spot, and unrebukeable, untill the appearing of our Lord Jesus Christ*. But this he could not do in his own person, which was shortly to depart; *Calvin* therefore readily acknowledgeth, that [f] these things were written *not so much for Timothy's, as for other mens directions*, that were to come.

[x] Eph 4.12.

[y] Ib. v.

[z] Col. 1. 24.

[a] S Mat. 28. 20.

[b] I. D. p. 24. 32. 168.

[c] Calv. in ep. Ded. ad Edvard. Somersetti Ducem.

[d] 1 Tim 3. 15.

[e] 1 Tim. 6. 13. 14.

[f] Calvin arg in 1. & 2. ad Tim.

come after him; since g *herein* (as *Beza* observes) *many particulars belong to the daily Office of a Pastor.* These things then must be daily and duely done, as occasion requires. But diverse of these ought, and might be done by *Timothy onely*, and by such as were of his ranke; but by no other; needs therefore must this Order be continued for the edifying and *perfecting of the body of Christ.* This Office then being *quotidianum munus* an Office of daily use, must of necessitie be continued in the Church.

g Beza in 1 Tim. 3.14.

15. But what Office was this, that *Timothy* and *Titus* did beare in the Church? Let *Salmasius* speake. h *They at that time were named Apostles, & revera erant* EPISCOPI IVRE EODEM ET ORDINE, QUO HODIE HABENTUR, *qui Ecclesiam regunt, & Presbyteris præsunt: and indeed were* BISHOPS IN THE SAME RIGHT, AND OF THE SAME ORDER, WHEREOF AT THIS DAY THOSE ARE ACCOUNTED, *Who govern the Church, and rule Presbyters.* But this very Office was none of those, which were extraordinary, and to continue for a season onely, no, no, in *Beza's* judgement it is *quotidianum munus*, an Office of daily use; of necessity therefore it must be perpetuall in the Church. And yet the duties of that Office were such, i *quibus sustinendis non alius quilibet (e vulgo pastorum) par fuisset, as none of the vulgar Pastors*, no ordinary Presbyters, *were meet to undertake.* And what are these? k Even *to redresse, what is amisse, and to ordaine Presbyters.* These are matters of moment, and require more then ordinary discretion. l *For this cause S. Paul left Titus at Creete*; and for this very end m he sent *Epaphroditus* to *Philippi*, though at that time there were in that Citie many *Bishops.* Phil. 1.1. If then there needed no ordination, but every man without orders might have discharged Presbyteriall duties; or if the *Presbyter-Bishops* of that Citie might have set that Church in order, and therein ordaine *Presbyters*; Why did S. *Paul* send *Epaphroditus* to *Philippi*, to do those things, which might either have been left undone, or at least have been done as well without him. Surely S. *Paul* imposeth not needlesse businesses upon any.

h Walo Messal. p. 44.

i Calvin. in 1 Tim. 1.3.

k Tit. 1.5.

l Ib.

m Ad Philippenses eum misit, ad Ecclesiam eorum confirmandam, & constituendos in eâ Presbyteros & Episcopos. Walo Messal. p. 58.

16. *Bishops* there were (you will say) before in that Church; If then it belong to the *Episcopall Order* to *ordain*, and *reforme* in the

the Church, what is amiſſe, why was *Epaphroditus* ſent thither? Take notice (I beſeech you) that thoſe *Biſhops* were but *Presbyters*, or *Presbyter-Biſhops*; n which Order never had the power either of *Ordination* or *Juriſdiction*. S. *Paul* therefore ſends unto them, *Epaphroditus* an *Apoſtle-Biſhop*, who could performe both. This you ſee acknowledged by your moſt able and ſubtill advocate.

n Chryſoſt in Philip. 1. 1.

17. Well, let it be, what it will, *lawfull* or *unlawfull*, tis all one, in this exigent or diſtreſſe that his Majeſtie is put to, o *notwithſtanding that his oath the King* (ſay you) *without impeachment, may in this circumſtance, conſent to the Abrogation of Epiſcopacy*. His Majeſties oath now falls in queſtion; and I ſhall be willing fairely and calmely to conſider, wherein, and how far forth a Chriſtian King is bound to keepe, or breake his Oath.

o I. G. p. 2.

CHAP. VI.

Whether the King, without impeachment to his Oath at Coronation, may conſent to the Abrogation of Epiſcopacy.

1. THis queſtion hath two branches. The firſt, *Whether a Chriſtian King be bound to keep his Oath*. The ſecond, *Whether he may notwithſtanding his Oath, conſent to the Abrogation of Epiſcopacy*. His Majeſties *Coronation* d ſerves alſo to be looked upon; ſince an *oath* deliberately and ſolemnly taken, deſerves the more ſeriouſly to be thought on; and will draw from God the heavier doome, if deſpiſed, or ſlighted.

2. By your own confeſſion it is evident, that p *an oath againſt Chriſts Inſtitution is vinculum iniquitatis*, an impious oath, and ought not to be obſerved; but to be cut off with ſhame and ſorrow; ſince q *all bonds to ſin is fruſtrate*. Confeſſe we muſt, that an oath againſt God revealed will or honour, is a *bond to ſin*; and therefore no ſooner made then void, and to be abhorred. Such is your *Covenant againſt Epiſcopacy*. And had the King either through miſunderſtanding, ill advice or fear, taken

p I. G. p. 1.

q Ib.

ken that irreligious *Covenant*, he had been obliged, by your confeſſion, to have made it fruſtrate; ſince it is a *bond to ſin*, becauſe it is againſt *Chriſts* Word and Inſtitution, as is manifeſted c. 2. & 4.

q Ier. 4 2. 3. But q an oath taken *in truth, and righteouſneſſe, and judgement*, becauſe it is of ſuch things, as may juſtly and lawfully be performed, yea becauſe God approves & ratifies this oath, is *vinculum æquitatis & neceſſitatis*, ſuch a bond as equity and conſcience bind us neceſſarily to performe, to the utmoſt of our power. But ſuch is *his Majeſties Oath at Coronation* concerning the Church, the Spouſe of *Chriſt*.

4. No *unrighteouſneſſe* can ye ſhew in it, the lawfulneſſe of *Epiſcopacy*, as alſo their juſt right to govern *Preſbyters*, is ſufficiently juſtified c. 4. No *untruth*; for our Soveraigne hath ſworn to maintaine an Ordinance of truth, of *Chriſt* himſelf. And *ſub pœnâ judicij*, upon paine of judgment he is bound to make good this his Oath, ſo juſtly taken, leaſt he fall into the hands of God, and ſo into eternall judgement. For *Juſtice* requires, that every man, much more a Chriſtian, and a King, keep his Oath made upon ſuch grounds, though it be with hazard both of Crown, and life, and all that may be indangered upon earth.

f Hoc jus ipſum poſtulat, quo quiſque teneatur. Zanch. in 3 præcept. de Juramento. Theſ 3. Sect. Actionem.

r Ib, Sect. Quid ſit.

s Ib. Theſ 6. Sect. Quid ſit.

5. Conſider, I beſeech you, how s in an oath we call God to record; and we make him not onely our *witneſſe*, but our *ſuretie*, that we will, with his bleſſing, performe, what we have vowed, or ſworne in his name. And not onely ſo, but we call upon him to be our *Judge*, and the *Revenger* of our perfidiouſneſſe, if ſo we wittingly depart from this Oath. With what face then can we fall back, and wilfully incurre perjury? Is not this as *Philo Judæus* hath it, to x *make God a ſhelter for our wickedneſſe, and to caſt our ſin upon him*? That ſo to the infamie of Chriſtian Religion, we may ſoder up a faire repute before men. Is not this to caſt aſide not onely a fore-head, but all conſcience, and the fear of God? Oh, (ſaith S. *Auſtin*) y *What blindneſſe can equall this, to hunt after a little vaine glory by deceiving man, while in thy heart thou ſleighteſt God the ſearcher of all ſecrets? As if his error, who thinks thee good, were comparable with thine, who ſeekeſt to pleaſe man with a ſhow of good, whileſt thou diſpleaſeſt*

x Philo Iud. de ſpecial. legi l. 1.

y Quid inſâ cæcitate tenebroſius, ad obtinendam inaniſſimam gloriam, errorem hominis aucupari, & Deum teſtem in corde contemnere? Quaſi verò ullo modo comparandus ſit error illius, qui te bonum putat errori tuo qui hominem de falſo bono placere ſtudens, de vero malo diſplices Deo. Aug. in Gal c. 6.

God

God with that, which is truly naught.

6. But this is no new thing to you, that have diſpenced ſo long, ſo often, ſo variouſly with ſo many *Oaths of Supremacie, Allegeance,* and *canonicall obedience*: That have done ſo many ſtrange acts, contrarie to your faith, and ſubſcription. Take heed in time, leſt not onely your oaths, but your own hand-writing ariſe in judgement againſt you, for caſting off the *Book of Ordination*; For renouncing the *Booke of Common-Prayer*; For diſclaiming the *Articles of the Church of England*, with thoſe *three Creeds*, the glory and hope of all good Chriſtians. Thus you, and your brethren, are become Apoſtata's and renegadoes to all Religion and piety; graceleſſe, faithleſſe, perjured men. God of his mercy give you a ſence of theſe ſins, that ſo you may in time repent, and make ſome ſatisfaction to the Church of *Chriſt*, by an open confeſſion, and by a full deteſtation of thoſe preſumptuous and crying ſins.

7. This Oath his Majeſtie took *ſolemnly* before God, in the houſe of God, in the preſence of the *Nobility*, and *Clergie*, and a multitude of his leige people. And ſhall not all theſe oblige him ſo much the more to be tender of this Oath? *Zanchius* tels us, that [z] *it is a more grievous ſin to offend againſt a publick ſolemne oath, then againſt one made in private.* What may we then think of an oath taken with ſuch high *Solemnity?*

[z] Gravius eſt peccatum, facere contra *publicum ſolenne juſjurandum*, quàm contra privatum. Zanch. in 3 præcept. Theſ. 4 Sect. Adionem.

8. This *Oath* was voluntarily, freely taken, without compulſion, or perſwaſion; ſo no excuſe that way. Indeed it was taken [a] *in truth, in judgement, and in righteouſneſſe. In truth*, his ſacred Majeſty reſolving truly to keep it: *In judgement*, judiciouſly, upon mature deliberation; and *in righteouſneſſe*; intending that every branch of this Oath ſhould be juſtly and righteouſly obſerved in all his *Courts of Juſtice*. How then can he infringe this Oath?

[a] Jer. 4. 2.

9. He made this *promiſſory Oath* to a great body of this His Kingdome, the whole *Clergie* of this Land; and thoſe not the meaneſt of his Subjects. And not onely ſo, but to holy Church his mother, and to God the Father of us all. How can he then diſclaime this Oath? which ſo obligeth his conſcience before God. that [b] *had he bound himſelf by ſuch a tye to highway robbers, or to his profeſſed enemies, he had been bound by the Law both*

[b] Omnino juramentum quiſquis ſuum, ſine ullo prorſus dolo, aut defraudatione, *juxta Gentium legesque Dei*, ipſis etiam hoſtibus, & latronibus ſervare tenetur: eoſq; à nemine hominum tali juramento libérari poſſit. Zanch in 3. præcept. Theſ. 6.

both of Nations and Chriſtianity, ſtrictly to haue obſerved it without fraud or coven. Talke not of a diſpenſation. Nor life, nor death, nor principalities, nor powers, whether civill or ſpirituall, can poſſibly diſcharge him of this oath; no more then they can me of my *oath of Allegiance*. And yet it is a point of your Religion to perſwade to perjurie; as if it would eaſe your conſciences, to have millions concurre with you in the ſame perfidiouſneſſe and end.

10. Is *perjurie* a ſin, or no ſin? If it be a ſin, and an heinous
c Gen 39.9. ſin, c *how then can I commit this great wickednesse, and ſin againſt God?* Is it no ſin? If you be of that mind, ſpeake out, ſhew your ſelf in your true colours. What Religion are you of, I know not well; little uſe hath your *conſcience* made of Religion in this *caſe*. Your eye is wholly upon the *Parliament*, and the preſent neceſſity, thoſe members have wrought our good King and this whole Nation. Neceſſity hath ſo far prevailed with you, as rather to be forſworne, then to forgo your preſent maintenance. But our moſt gracious Soveraigne, whom God ever bleſſe, hath wholly fixed his heart upon God, and
d Levit. 19.12. his Word, wherein we are charged d, *not to ſweare falſely by the*
e S.Matth. 5.33. *name of the Lord*; no, e *nor to forſweare our ſelves, but to performe our oaths unto the Lord.* Marke; though the oath be made to the ſervant, it muſt be *performed unto the Lord*; becauſe the caution is given to the ſervant in the Lords behalfe; yea upon the Lords credit; for by his name, and upon his book we ſweare
f Exod.20.7. to do it. And if we do it not, f *the Lord will not hold us guiltleſſe. Minus dicitur, plus intelligitur*; by this one word much may
g Mal. 3,5. be underſtood; For g the Lord will come againſt us *in Judge-*
h S.Ila.5.12. *ment*, and call us to an account for our *oaths*. h *Oaths* therefore muſt be avoided, *leſt we fall into condemnation.* For perjurie is
i Zech. 8.17. a foule, a dangerous, a damnable ſin. i Odious it is to God,
k Levit.19.12. becauſe, k it *defiles his* moſt holy *name*. l For this very ſinne *the*
l Hoſ 4. 2.3. *land mournes*; I beſeech God, it become not diſolate. Sure I
m Zech.5.4. am, m *a curſe will enter into his houſe, that ſweareth falſely*; it will ſettle there, till it have *conſumed the timber and ſtones thereof.* Or
n Eccl.us.23.11. as the wiſe man hath it, n *his houſe ſhall be full of calamities, and the plague ſhall never depart from it.* Let *Zedekiah* be our evidence.
o 2 Chron, 6, 13. o He took the *Oath of Allegiance* to *Nebuchadnezzar*; but ſlighted

ed it, and rebelled against that his Soveraign Lord, who had so highly honoured him, and trusted him with a Kingdom. But what became of him? p The *Caldees* came, besieged *Jerusalem*, conquer'd it, took *Zedekiah* prisoner, and slew his sons before his eyes. This done, they put out his eyes, and in fetters carried him captive to *Babylon*. Here was an end of the Kings of that Land, descended from the Tribe of *Judah*. Are not here the *timber and stones of his house*, his strong men, and the sons of his loins utterly consumed?

p 2 Regis 25. 6. 7.

11. Think not to excuse your selves or any other, by some later Covenant; this will not serve the turn. Was the first sworn *in truth, and judgement, and righteousnesse?* or was it not? Doth it *truly* and *justly* agree with the Word of God; at least, not contradict it? If so, thou art bound in *justice* to observe it, lest *judgement* fall upon thee. For this is a true rule, if *Zanchius* mis-guide us not, q *Posteriores promissiones, etiam juramento firmatæ, nihil de prioribus detrahere, aut imminuere possunt: Later oaths cannot possibly make the former of no, or lesse validitie.* Why then do you perswade the King to break his oath? He that enticeth a man to perjurie, under pretence of pietie and Religion, r what doth he else but affirm, that *some perjuries are lawfull.* Which is as much to say, as *some sins are lawfull.* Which is naught else; but to conclude, that *some things are just, which are unjust.* I appeal to men of understanding, whether this proposition savours of pietie, or discretion. Think not then to ensnare prudent and conscientious men, with such frivolous and senslesse pretences; which savour strongly of absurditie, if not of *Atheisme.*

q Zanch. in 3. præcept de Juramento Thes. 6. Sect. Prima igitur.

r Nihil judicandus est dicere, qui dicit *aliqua iusta esse mendacia*, nisi *aliqua iusta esse peccata*, ac per hoc *aliqua iusta esse, quæ iniusta sunt.* Quo quid absurdius dici potest? Aug. cont. mend. c. 15.

CHAP. VIII.

Whether the King may desert Episcopacy *without perjury.*

1. GIve me leave to passe over a few pages, and to take that into consideration, which follows next in reason, though not according to your method. We are now fallen upon a strange question, too high to be proposed by any Subject.

ject. But you have enforced me to make that a question, which is harsh to loyall eares, lest I may seem to avoid your subtill and sawcie cavils, as unanswerable. For do not you say, that

f I.G. p.7. f your *second Antagonist plainly affirms, that the King cannot desert Episcopacy without flat perjury?* His words are far more mannerly: but I am bound to trace your steps; and shall, with Gods assistance, manifest, that His Majestie without *violation to his Oath*, and to Religion, may not *desert Episcopacy*, and leave it naked to the subtill fox, or the merciless swine.

2. First, according to your own confession, his sacred Majestie hath sworn to almighty God, in his holy place, before a

g I.G. p.8. solemn Assembly, to *protect the Bishops, and their priviledges to his power, as every* GOOD KING *in his Kingdom* IN RIGHT OUGHT *to protect and defend the Bishops, and Churches under their Government.* 1. *Good Kings* protect *Bishops*; and *good* they are in doing so; there is no evill then in protecting *Bishops*. 2. They *ought* to do it: it is therefore their duty; and to fail of this their duty, when they may choose, is sin. 3. *In right* they ought to do it: they do wrong therefore, if they do it not. This

h Es 49.23. *right* is grounded upon Scripture; for God saith, h *Erunt Reges nutritii tui, Kings shall be nursing Fathers, and Queens shall be nursing Mothers to the Church.* Who then dares say, they *ought* not, or *shall* not?

3. Besides, what is done *in right* is injurious to no man; since *jus* and *injuria*, *right* and wrong cannot consist in the same action, under the same consideration. And yet no *right* is done, but it is displeasing to the adverse partie. God did *right* in protecting *Moses* and *Aaron*, against *Korah*, and his confederates. He did *right* in destroying those factious and rebellious persons; and yet x this was displeasing to *all the congre-*

x Num. 16.41. *gation of the children of Israel.* And shall God or the King forbear to do *right*, because the multitude murmure at it? This be far from the Lord and his Vicegerent. A Judge is sworn to do *right*. If then he do not *right* to the utmost of his understanding, he is perjured. And the more eminent a man is in place, the greater the sin. You know, to whom it was said,

y 2 Sam. 12.14. y *Because by this deed thou hast given great occasion to the enemies of the Lord to blaspheme, the childe that is born unto thee, shall surely dye.*

dye. And of *Jeroboam* it was ſaid, z *Go, tell him, thus ſaith the Lord God of Iſrael; For as much as I exalted thee from among the people, and made thee Prince over my people Iſrael: and yet thou haſt done evill above all that were before thee, and haſt caſt me behind thy back. Therefore behold, I will bring evill upon the houſe of Jeroboam, &c.* z 1 Reg. 14. 7. &c.

4. Secondly, the King hath ſworn to be the *Protector and Defender of the Churches under his Government:* and this, you will confeſſe, the King ought to do. But the King doth not *protect the Church*, unleſſe he *protect the Biſhops*; ſince without *Biſhops* the Church muſt needs crumble away, and come to nothing. The *Biſhop* is *the miniſteriall Spouſe of the Church*: how then can the *Church* be *protected*, if her husband be taken from her, or ſtripped of his means? Juſt as our wives are maintained with the fift part. Fed with an Ordinance, with words; but where's the fift part? which of our wives have had that juſtly payed them?

5. The *Biſhop* is, under *Chriſt*, *the Father of the Church*. Deſtroy the Father, and how ſhall the Children be provided for? Nay who ſhall beget children of the Church, when ſhe is void of an Husband? And the *Biſhop* is *the onely Husband* of the Church; a *take away the Biſhop, and the Church is a Widow*; if you will beleeve the Councell of *Chalcedon*. b I have heretofore manifeſted, that *none but a Biſhop can ordain either Prieſt or Deacon*. And *Zanchius* determines, that c *the Church may not want Miniſters, who are to adminiſter theſe externall things, the Word and Sacraments*. Remove the Miniſters that have this power derived unto them from *Chriſt*, and the *Sacraments* muſt fail, and conſequently the *Church*. For what d is the *Church*, but *a Congregation of Chriſtians, wherein the pure Word of God is preached, and the Sacraments duly adminiſtred*, ACCORDING TO CHRISTS ORDINANCE. But, *according to Chriſts Ordinance*, none may adminiſter the Word and Sacraments but *Biſhops, Prieſts*, and *Deacons*. Take theſe away, and what becomes of the *Sacraments?* Take away *Baptiſme*, and according to Gods ordinary and revealed way, we cannot become Chriſtians, e we cannot be *born anew of water, and of the holy Ghoſt*. And when we are become Chriſtians, take away that food of life, the *Lords Supper*, and we muſt needs famiſh: for

a Concil. Chalced. can. 25.
b C. 5.
c Miniſtris carere non poteſt Eccleſia, qui externas res adminiſtrent, verbum & Sacramenta. Zanc. in 4. præcept. de Miniſt. Eccleſ. 9. 1. Sect. octavo.
d Act. 19.
e Joh. 3. 5.

unleſſe

f S. Joh. 6. 53. f *unleſſe we eat the fleſh of the Son of man, and drink his blood* (in that bleſſed Sacrament) *we have no life in us.* Hence is that of *Calvin:*

g Neque vel Solis lumen ac calor, vel cibus ac potus tam ſunt præſenti vitæ fovendæ ac ſuſtinendæ neceſſaria, quam eſt *conſervanda terris Eccleſiæ poſtolicum, ac paſtorale munus.* Calvin Inſtit. l. 4. c. 3. Sect. 2.

g *The light and heat of the Sun, meat and drink are not ſo neceſſary for the cheriſhing and ſuſtaining this preſent life, as the* APOSTOLICALL *and Paſtorall* OFFICE *is for the* PRESERVATION OF THE CHURCH *on earth.* If then it be proved, that *Biſhops* properly and ſtrictly ſo called, be of the ſame office and order with the *Apoſtles*, then have we *Calvins* acknowledgement, that the Church cannot ſubſiſt without *Biſhops.*

6. Indeed it cannot, if we beleeve S. *Cyprian*; for he ſaith, that h *we ought to know Epiſcopum in Eccleſia eſſe, &* ECCLESIAM IN EPISCOPO; *that the Biſhop is in the Church, and the* CHURCH IN THE BISHOP: it ſtands and fals with him. What then becomes of that Church, where there is no *Biſhop?* i *Si qui cum Epiſcopo non ſint, in Eccleſia non eſſe.* We muſt alſo know (ſaith that bleſſed Martyr) that *they, which are not with the Biſhop, are out of the Church.* Thus the *Biſhop* is in the Church *cauſaliter*, cauſally; but the Church in the *Biſhop virtually.* The fountain is in the brook cauſally; and the brook in the fountain virtually; becauſe from the fountain the Rives derives his being, from thence it is derived and fed. Damne up the fountain, or divert his courſe, and what becomes of the river? Thus is it between the *Biſhop* and the Church. Hence I infer, that the *matter of the Oath is lawfull:* I conclude therefore, with the *Author of the Review*, that k His Majeſtie is *bound in Religion and conſcience to protect the Biſhops* with their Churches, and priviledges. Unleſſe it be ſo, that you can bring him a *new Chriſt*, who will ordain another way to heaven.

b Cypr. ep. 99. n. 31.

i Ib.

k I.G. p. 7.

Ib. i

7. But, ſay you, l *it is a ground laid down by this Author, that no oath is obligatory beyond the intention of it.* That is, according to the common, plain, and literall meaning thereof, otherwiſe we know no *intention of an oath.* We muſt therefore look back to the intention of the firſt framers thereof, as alſo to the good and ſecuritie of thoſe, to whom, and for whoſe ſake, it is taken. That m *the intention of this oath*, and the framers thereof, *is againſt a tyrannous invaſion on the rights of the Clergie*; as alſo

m I propoſe to conſideration, whether the intention of this Oath be not only againſt a *tyrannous invaſion* on the rights of the Clergie: not againſt an *orderly alteration* of them, if any prove inconvenient, and to protect them *againſt violence*, not againſt *legall wayes* of change. I.G. p. 7.

to

to protect them againſt violence, no queſtion at all is to be made; and you do well to acknowledge it. So far then the King is to *protect them* to the utmoſt of *his power*. And hitherto, *by the aſſiſtance of God*, he hath done it: and my truſt is in *Jeſus Chriſt*, that he will ſtrengthen our good King to live and dye in this pious and Princely reſolution.

8. *This Oath is to the Clergie*; the King then muſt have an eye upon them, and *their intention*, who ſo humbly begge his protection, and to whom he makes this oath. n *Expectationem enim eorum, quibus juratur, quiſquis decipit, non poteſt eſſe non perjurus: For he that deceives their expectation, to whom he ſwears, cannot but be perjured.* This S. *Auſtin* proves at large in the preceding Epiſtle; wherein o he wonders, that any man ſhould be of ſuch an opinion, as to conceive, that *a man might incur certain perjurie, to avoid uncertain danger, loſſe or death.* It is a rule therfore in the Canon Law, p *Quacunque arte verborum quis juret, Deus tamen, qui conſcientiæ teſtis eſt, ita hoc accipit, ſicut ille, cui juratur, intelligit. What art ſoever a man uſe in the words of his Oath, God who is witneſſe of the conſcience, takes the Oath in that very ſenſe, wherein the party takes it, to whom we ſwear.* Otherwiſe we ſhall not onely deceive others, but we ſhall cheat our ſelves into *equivocation*, wherewith of late we have ſo juſtly charged the *Jeſuites*; and for which the Fathers moſt deſervedly heretofore condemned q the *Helchaſeites*, r *Valentinians*, ſ *Priſcillianites*, and t the followers of *Origen*. Truly, I am much afraid, we are fallen into ſuch times, as *Roger Hoveden* complains of under K. *Steven*; u wherein it was accounted a noble act to lye, and forſwear; and a manly deed to betray their Lords and Maſters.

n Aug. ep. 253.

o Aug ep. 254.

p C. Quacunque 22. quæſt. 5.

q Euſeb hiſt. l. 6. c. 31.

r Iren. l. 4. c. 31.

ſ Sulpit. Severus hiſt. l. 2.

t Hierom. ep. 83. c. 1.

u Perjurare ſi. dem, mentiri, nobile factum: Proderе vel Dominos, actio digna viris. Rog. Hove. in R. Steph. p. 489

9. And is not this, which is wrought againſt the Clergie, a *tyrannous invaſion*? What Law is there to countenance, what of late yeares hath been done againſt us? Where is the *orderly alteration*, you ſpeak of? Hath not all been done by tumults, and inſurrections? Have not divers of the Peers been aſſaulted, and many of the Commons vilified, and terrified by a ſeditious faction, that ſo they might bring them to their own bend? How many have been inforced to flye with all ſecrecy from *Weſtminſter*, becauſe they would not paſſe their Votes againſt

againſt Law and conſcience? Was it *orderly* to frame Petitions at *Weſtminſter*, againſt the *Biſhops* and Orthodox *Clergie*, and then to gleane hands in the Countrey from factious ſpirits, to your own Petitions? Was this an *orderly alteration*, without any pretence of Law, to deprive us of our freeholds, to plunder our houſes, to impriſon our perſons; and to thruſt into our Benefices men with unwaſhed hands, Felt-makers, Blackſmiths, Taylors, and I know not whom? And yet all this hath been done by our great Maſters in *Iſrael*.

10. By your own confeſſion, the King hath taken an oath to *protect the Clergie and their rights againſt violence, and a tyrannous invaſion*. But how ſhall he *protect* us, that is not able to ſecure himſelf? This, it ſeems, was his *dutie*, and with *Gods aſſiſtance* in his *power*, when his ſacred Majeſtie took the Oath. His *dutie* ſtill it is, though he be robbed of his *power*. And when God ſhall reſtore him to his *power*, he is bound to diſcharge this *dutie*. For you confeſſe, that [x] his Majeſtie is *ingaged to his power to protect the Biſhops and their priviledges*. And if he breake this *ſolemne Oath*, in his own perſon, with what conſcience can he puniſh *perjurie* in others?

x I. G. p. 8. 9.

11. An *orderly alteration*, or *Legall waies of change*, who condemnes? But we juſtly complaine, that no ſuch *alteration* hath been endeavoured. For that is not *orderly*, which is *illegall*: neither can that be imagined *rationall*, which is wrought by violence, or forced upon a King. He is to be ruled by the word of God, and *right reaſon*, [y] which is *the life of the Law*; not to be over-awed, or over-ſwayed by a faction.

y Sir *Ed: Coke* in Littleton. l. 2. Sect. 138.

12. That [z] *it is rationall for a King to undertake, to protect the Clergie againſt violence*, you acknowledge; and it is no more then all the Kings Miniſters are bound in conſcience to performe. The King hath done it, bleſſed be God, to the utmoſt of his *power*. Whether the Kings Officers, and thoſe he hath put in truſt, have done their *dutie*, will be anſwered for at an higher barre. *In right reaſon the Oath ſhould have no other ſenſe*. That *ſenſe* then it hath; and we deſire that *ſenſe* may be made good by Parliament, and we reſtored to our free-holds, according to *reaſon*, and Law; and ſatisfaction made us for our loſſes, and illegall impriſonment, till an *orderly and Legall change* be made.

z This is as much, as if it were *rationall* for a King to undertake the perſon in *right reaſon* the Oath ſhould have no other ſenſe I. G. p. 7.

CHAP.

CHAP. VIII.

whether the Kings Oath *taken* to the Clergie, *be injurious to his other Subjects, and inconsistent with his Oath to the people.*

1. YOu Object, and we confesse, that a *this oath to the Clergie, must not be intended in a sense, inconsistent with the Kings Oath to the people?* How? *Inconsistent with the Kings Oath to the people?* What? All blind but Mr. *Iohn Geree*, and his confederacy? King and subject, Preist, and people, compossers, approvers, takers, all dimme-sighted? How came you to spie this foule mistake? Surely this is one of your new lights; for *both* these *Oaths* as you please to call them, have happily stood, and may long stand together. There was a time, when the devill had found a device, to set *God and Cæsar* at odds: but our Saviour set them to rights; b *Give* (saith he) *unto Cæsar what belongs to Cæsar, and to God, what belongs unto God.* That difference being reconciled, that Arch enemie of man, hath found out a late device, to raise a quarell between *Clergie and people*, as if the *Liberties* of the one could not consist with the *Rights* of the other. But we have learned of our blessed Master to set these also at one, and beseech his Majestie, to *give unto the people what belongs to the people, and to the Clergie, what belongs to the Clergie.* We desire nothing, that is theirs; and we are certaine, that no good man will repine, at what *is* iustly Gods, or ours.

a This *Oath to the Clergie*, must not be intended in a sense inconsistent with the *Kings Oath to the people*, first taken for their protection in *their Laws*, and *Liberties*. I. G. p 7.

b S. Mat. 22. 21.

2. It is Gods command to c *give every man his due.* And if any Law be made contrary to this, it is no Law. The reason is, because d *all power is from God*, and under God. e That Law then, that God hath made, man may neither abrogate, nor alter; it is onely in the Lords breast to do it. Indeed what is settled by man, may be changed, or abolished by man. But man must be carefull, that the Law be just. f *Lex enim non obligat subditos, in foro conscientiæ, nisi sit justa*: No Law *binds a subject in case of conscience, unlesse it be just.* Indeed it binds them not to performance, but to submission. Though they be not bound

c Rom 13 7.
d Ib. v. 1.
e *Lex divina sicut à solo Deo fertur, ita à solo Deo* tolli, aut abrogari potest. *Lex autem humana* sicut per hominem constituitur, *ita ab homine tolli*, aut abrogari potest. Franc. à Victor. Relect 3 n. 16.
f Tho. 1. 2æ. q. 96. 4.

to performe, what is injoyned; yet muſt they ſubmit, to what ſhall be inflicted; ſince *reſiſtance* is *damnable*. Ro. 13. 2.

3. Since then it is onely the *juſt Law that binds us to obedience*, it will not be amiſſe to ſet down, *what Laws are juſt*, and what not. [g] *That a Law be juſt* (ſaith *Thomas*) three ingredients are requiſite: firſt, *Power in the Law-maker*; 2ly. *the end*, that it be for the *common good*; and 3ly. the *forme*; namely, that *all burthens* and taxes be equally, *evenly layed upon the Subjects*; not more upon one then upon another, but proportionably upon every man according to his eſtate. Laws ſo qualified, are juſt, becauſe impartiall.

g Tho. Ib.

4. From hence we may ſafely conclude, that [h] thoſe *Laws* are *unjuſt*, where, in the firſt place, the Impoſer wants authoritie. 2ly. When burdens are impoſed, that are not for the common good, but for private intereſt, gaine, or glory. 3ly. When taxes, or ſubſidies, though for the publick good, be unequally layed. Or, in the laſt place, when Laws contradict Gods written Word: For [i] all Laws ought to be ſo framed, *vt illis, quos tangunt, proſint, & nemini præſertim notabile afferant nocumentum: That they may be commodious for thoſe, whom they concerne, and yet not be evidently injurious to others.* From theſe or the like grounds, I find it reſolved by the Sages of this Kingdom, that [k] the King may grant priviledges to any Corporation, ſo they be not prejudiciall to ſome other of his Subjects.

h Ib.

i Gul. Ockam de Juriſdic. in cauſis matrimon.

k Fitzherbert. nat. brev. tit. Protection. p. 28.

5. But wherein is the *Kings Oath to the Clergie, inconſiſtent with his Oath to the people?* Becauſe his Majeſtie hath *firſt* (ſay you) *taken an oath for the protection* of the people *in* THEIR LAWS *and liberties. Their Laws?* The peoples Laws? Who made them makers, or Maſters of the Laws? Do the people uſe to make Laws in a Monarchie? Behold, all are Law-makers. Who then ſhall obey? None but the Clergie? Thus the *Clergie* muſt *obey* the people; and if *obey*, then *pleaſe*. For whom we *obey*, them we muſt pleaſe. And yet there is much danger in pleaſing the people: For [l] *If I ſhould pleaſe men*, (that is, the common people) *I were not the ſervant of Chriſt*. The plain truth is, the Laws are the *Kings Laws*, ſo we call them, and ſo they are; and his ſubjects muſt obſerve them. Otherwiſe [m] *he beareth not the ſword in vaine*. The *Liberties* indeed *are the peoples*, granted

l Gal. 1. 10.

m Rom. 13. 4.

granted and confirmed unto them by the Soveraignes of this Realme. But wherein [n] *will the latter Oath be a preſent breach of the former and ſo unlawfull?* One would think, here were ſome great wrong offered to the *people*, as if ſome immunities, or means were taken from them, and transferred upon the *Clergie* by this *Oath*. But when all comes to all, it is no more then this, that [o] *One of the priviledges of the people is, that the Peers and Commons in Parliament, have power, with the conſent of the King, to alter what ever in any particular eſtate is inconvenient to the whole.* I had thought, that this *priviledge*, you ſpeake of, had not been a *priviledge of the people*, but of the *Parliament*, that is, of the *Peers and Commons*, repreſentees of the people met in a lawfull and free *Parliament with the Kings conſent*. Not of the repreſentees of the people alone. But you would faine incenſe the people anew againſt us, under a pretence, that all is for their good, and for the maintenance of their *priviledges*; becauſe they are repreſented by the Houſe of *Commons*. Whereas the truth is, you endeavour to devolve al upon that Houſe, for the erection of *Prsbytery*; That ſo both Church and State may be *Democraticall*, both ſettled under a popular government.

[n] For then the *latter Oath* would be a preſent breach of the *former*, and ſo unlawfull. I. G. p. 7.

[o] Ib.

6. Let us take a view of this paſſage, and ſee what truth is in it. *One of the priviledges of the people is*, ſay you, *that the Peers and Commons in Parliament* HAVE POWER TO ALTER *what-ever is inconvenient*. How the Lords will take this, I know not, though of late they have been ſo paſſive. Can they endure, that their *power* ſhould be onely *derivative*, and that from the people? Your words are plain; *one of the priviledges of the people is, that the peers have power*. As if the Lords had no *power in Parliament*, but what iſſued from the *peoples priviledges*. Why then are they called *Peers*; when they are not ſo much as *Peers* to the *people*, but their ſubſtitutes, if not ſervants? Surely you lay the Lords very lowe. And if it be *one of the peoples priviledges that the Lords have power*; then is it alſo *one of their priviledges*, that the Lords have no power, that the people may take it from them, when they pleaſe. *Cuius eſt inſtituere, ejus eſt & deſtituere*; they that can give power, can alſo take it away, if they ſee good. This of late hath been uſually vaunted againſt the *Houſe of Commons*; and you ſay as much to the *Houſe of Peers*.

Whereas the *peoples priviledges* are but ſeverall grants of the Kings of this Land, proceeding meerly from their grace and favour. Alas, the people hath not ſo much as a vote in the Election of Peers; neither have they liberty to chooſe Members for the houſe of Commons; no, not ſo much as to meet, for any ſuch purpoſe, untill they be ſummoned by the Kings Writ. So the *peoples priviledges depends upon the Kings ſummons*; no ſuch priviledge till then.

7. And whereas you ſay, that the *Peers and Commons have power to alter, what-ever is inconvenient*; You are much miſtaken. When by the Kings ſummons they are met in Parliament, they have power to treat and conſult upon alterations, as alſo to preſent them to his Majeſtie, and to petition for ſuch alterations, where they ſee juſt cauſe. But they have no *power to alter*: that is in the *King*; or elſe, why do they Petition him ſo to this day, to make ſuch changes good, as they contrive? *Hoc eſt teſtimonium regiæ poteſtatis, ubiq; obſtinentis principatum.* This a full teſtimonie of the Kings power in all cauſes, and over all perſons, that the Lords & Commons Aſſembled in Parliament are faine to Petition for his Royall conſent and confirmation, before they can induce an alteration. The truth is, the *Power of making laws* is in him, that gives life to the Law, that enacts it to be a Law: not in them, that adviſe it, or Petition for it. p *Where the word of a King is, there is power*; it is his word, *Le Roy Le Veult*, that makes it a Law; then tis a Law, and not before. No power makes it a Law but his. For q *he doth, whatſoever pleaſeth him.* When it pleaſeth him; not when it pleaſeth them: many times therefore he rejects Bills agreed by both houſes, with his *Royne veult*, the King will not have them to be Lawes. The reaſon is given by that renowned *Juſtice Jenkins*; becauſe r *the Law makes the King the onely Judge* of the Bills propoſed. ſ *I counſell thee therefore to keep the Kings commandment* (or, to *take heed to the mouth of the King*) *and that in regard of the Oath of God.* t *That is* (ſaith the *Geneva Note*) *that thou obey the King, and keep the Oath, that thou haſt made for the ſame cauſe.* This is agreeable to Scripture. And the wiſeſt of this Kingdome not long ſince acknowledged, that u *without the Royall conſent, a Law can neither be complete nor perfect,*

p Eccleſ. 8. 4.

q Ib. v. 3.

r Lex terræ. p. 14 & 15.

ſ Eccleſ. 8. 2.

t Gen. note in loc.

u 1 Iac. 1.

perfect, nor remaine to posterity. A Law it is not, it binds not, till the King speak the word. Yea the Kingdom of Scotland hath declared, that *the power of making Laws is as essentiall to Kings, as to govern by Law, and sway the Scepter. Declar. of the Kingdome of Scotland. p.* 34.

8. But if this be the *peoples priviledge, that the Peers and Commons in Parliament have power* WITH THE CONSENT OF THE KING *to alter, what is inconvenient:* Whose *priviledge* is it, I pray you, for the *Lords and Commons, without the Kings consent*, to make alterations, and abrogations with root and branch? This is no *priviledge* of the people, nor yet of the Houses; x *Because* (as *Justice Jenkins* observes) *it is against their Oaths to alter the Govern ment for Religion. For* (saith he) *every of them hath sworne* IN THIS PARLIAMENT, *That His Majestie is the onely Supreme Governour in all causes Ecclesiasticall, and over all persons.* x Lex terræ, p. 39

9. But what *inconvenience*, I pray you, ariseth to the people from the *rights and priviledges of the Clergy?* Not *tithes.* No, say you, y that justifie them to be due to your *precious Presbyters*, by divine right. Not the *Bishops revenues.* By no meanes; z they must not come into any mans hands but yours; who are the *Parochiall Pastors*; These must be your maintenance. a *To seize them to private or civill Interest, is detestable sacriledge, cried out upon all the world over, and to be deplored of all good men.* So you with your Master *Beza.* Indeed to take them away from those, that are intrusted with them, would prove marvelous *inconvenient to the people.* y I D. p. 33. z I. G. p. 6. a Ib.

10. How many *inconveniences* will arise *to the people* of this Kingdome, by stripping the Clergie of their immunities, and lands, cannot suddenly be discovered. Some of them I shal lay down, and leave the rest to be displayed by those, that are cleared sighted. First the curse, that is likely to fall upon this whole Nation by sacriledge. For a nationall sin must have a nationall punishment. b *Ad mensuram delicti erit & plagarum modus*; *according to the fault*, and the measure thereof, *the number of the stripes shall be.* Let it be considered, how from severall Counties multitudes came in with Petitions, for the *extirpation of Episcopacy.* By whose instigation the Petitioners best know. b Deut 25. 2.

know. Think not to avoid the ſcourge, becauſe multitudes
Exod. 23.2. conſpired in the ſin: c *We muſt not follow a multitude to do evill.*
d Num. 32. 23. Hope not to lye hid in a throng; d *be ſure, thy ſin will find thee out,*
e Ioſh. 7. 18. as e it did *Achan* among the thouſands of *Iſrael.* His nobility
could not excuſe him. Remember that this was for *ſacriledge;*
f Ib. v. 21. for f he ſtole two hundred ſhekels of ſilver, & a wedge of gold,
g Ioſh. 6. 19. g which were conſecrated unto the Lord. This is a dreadfull
h Gen. 4. 7. ſinne, h it will lye at thy doore; it will be a ſtone of offence to
thee, at thy going forth, and thy coming in.

11. I know there are men of ſeverall mindes met at *Weſtminſter.* Some are wholly bent upon Church lands, and are reſolved to ſwallow them up, come what will come. Others are content to Covenant, Vote, or do any thing to ſave their own ſtakes; For to what purpoſe were it for them to withſtand? Alas, they are but an handfull; they may wrong themſelves,
i Exod. 23.2. but no good can they do to Church, or King. But we forget the Lords rule; i *Thou ſhalt not ſpeak in a cauſe, to decline after many, to wreſt judgement.*

12. Some young gentlemen there are, that muſt plead *Ignorance* in their votes, as being not acquainted with the ſtate of the queſtion; much leſſe with the myſterie of iniquitie, which worketh powerfully in the ſons of diſobedience. But they muſt know, that there be *ſins of ignorance*; for theſe there muſt be an *attonement made by the Preiſt*, and without this, for ought
k Levit. 5. 17. I read, no forgiveneſſe. *Levit.* 4. Yea, ſaith the Lord, k *If a ſoule ſin, and commit any of theſe things, which are forbidden to be done by the Commandments of the Lord, though* HE WIST IT
l Ib. v. 19. NOT, *yet is he guiltie. And he ſhall beare his iniquitie*, for l *he hath certainly treſpaſſed againſt the Lord.* But to bring it home a little neerer to theſe times, that are ſo violent for ſacriledge, let all *Achans* broode give eare to the words of the Lord; m *If*
m Ib. v. 15, 16. *any perſon tranſgreſſe, and ſin through ignorance, by taking away things conſecrated to the Lord*, HE SHALL RESTORE THAT, WHEREIN HE HATH OFFENDED, *in taking away of the holy thing, and* SHALL PUT THE FIFT PART MORE THERETO, AND GIVE IT UNTO THE PREIST.
n Ib. v 16. Then n *ſhall the Preiſt make an attonement for him*, not before; then *ſhall the ſin be forgiven him*, not before. Here then remaines no excuſe

excuſe for any, that have the leaſt hand in *ſacriledge*, without reſtitution. But why do we o *abhor Idols, and commit ſacriledge?* Why rob we God, as if he were an *Idol*, not ſenſible of theſe wrongs, nor able to revenge them?

o Rom. 2. 22.

13. Next, when the Church is ſtripped of her means, what kinde of *Clergie* ſhall we have? p *Jeroboams Prieſts; the loweſt*, and meaneſt, *of the people*. For as now, ſo then, q the *Prieſts* and *Levites* followed their true liege Lord. For that Arch-rebell and his ſons had caſt them off from executing the Prieſts office. This being done, r *who would, might conſecrate himſelf, and be one of the Prieſts of the high places*. Like King, like Prieſt; each had alike right to their places. A lively character of our times. Theſe are called the *Devils Prieſts*, 2 *Chron.* 15. 11. men that wanted either the knowledge, or the fear of God, or both. And ſurely this is the ready way to fill our Prieſts places with men void of Learning, not s *apt to teach*, not t *able by ſound doctrine* either *to exhort, or to convince the gainſayers*. Now S. *Peter* tells us, that u the *unlearned and unſtable* (ungrounded men) *wreſt the Scriptures to their own deſtruction*. What then ſhall become of the people? x *If the blinde lead the blinde, both ſhall fall into the ditch*. This will bring us to that paſſe, which *Biſhop Latymer* ſpeaks of, y *We ſhall have nothing but a little* ENGLISH DIVINITIE; *which will bring the Realm into very barbarouſneſſe, and utter decay of Learning. It is not that, I wis* (ſaith that good Biſhop) *that will keep out the Supremacy of the Biſhop of Rome*. And this will be a ſtrange diſhonour to this Nation, which hath alwayes abounded with Learned men.

p 1 Reg. 12. 31.
q 2 Chron. 11. 13. 14.
r 1 Reg. 13. 33.
s 1 Tim. 3. 2.
t Tit. 1. 9.
u 2 S. Pet. 3. 16.
x S Mat 15. 14.
y Bp. Latymer Ser. 5 before K. Edw. VI.

14. z *Hoſpitalitie* will come to nothing; a *your rents* will be racked; and b your *ſons* barred from one fair and moſt commendable courſe to *preferment*. For with us no one familie, or ſet perſons are tyed to be *Prieſts*, as was the Tribe of *Levi*. The qualification of the perſon, and not his pedegree, is with us inquired into. What underſtanding man then will freely dedicate his ſon to the Miniſterie, and be at an extraordinarie charge to breed him up to Divinitie, when his reward ſhall be certain poverty? And what Scholer of worth will deſire Orders, when he knows, that by theſe he ſhall be expoſed to contempt and beggary? Though we love the *Prieſthood*, when we

are

are miſerable in it; yet no man affects the *Prieſthood*, that he may be miſerable. I know many, ſince our coat is grown ſo contemptible, who intended *Divinitie*, that have diverted their ſtudie to *Phyſick*; knowing that this Nation is carefull of their bodies, though careleſſe of their ſouls.

15. Is it not enough by this *extirpation* to barre your ſelves from heaven, unleſſe ye ſink your poſteritie into the ſame damnation? Is it not enough to murder *Prieſts*, unleſſe ye ſlay the *Prieſtood* alſo? Certainly ye run the readie way to do it. If ye will not beleeve *Biſhop Latymer*, becauſe a *Prieſt*; yet truſt Sir *Edward Coke*, becauſe a *Lawyer* and a *Stateſ-man*. This great learned man aſſures us, that z *It is a more grievous and dangerous perſecution to deſtroy the Prieſthood, then the Prieſts. For by robbing the Church, and ſpoyling ſpirituall perſons of their revennes, in ſhort time inſues* GREAT IGNORANCE OF TRUE RELIGION, *and of the ſervice of God; and thereby* GREAT DECAY OF CHRISTIAN PROFESSION. *For none will apply themſelves, or their ſons, or any other they have in charge, to the Study of Divinitie, when after long and painfull ſtudie they ſhall have nothing whereupon to live.* Will not our Church then come to a ſweet paſſe? And yet to this paſſe we are almoſt brought.

z Sir Edw: Coke Reports, 2d. part. Leveſque de Winchesters Caſe. fol. 44.

16. All the *inconvenience*, that Mr. *Geree* preſſeth, is this, that a *we are not ſubject to the Parliament*, to be whipped and ſtripped as they pleaſe. If we be not ſubject to them, I am ſure they have made us ſo. But how far forth, and wherein we are ſubject to the Parliament, and what Parliament, ſhall ſpeedily be taken into conſideration. Chap. 9.

a I, G. p. 7.

17. You ſpeak much of b a *former* and a *latter Oath*; *the former to the people, the latter to the Clergy.* As if His Majeſtie took two ſeverall Oaths, at two ſeverall times. Whereas in truth it is but one Oath, c as you acknowledge p. 1. taken at the ſame time, and, as it were in a breath. Indeed there are ſeverall priviledges propoſed to the King, which he firſt promiſeth, and afterwards ſwears to maintain. As for the promiſe, it is firſt made in groſſe to the *people of England*; & afterwards to the ſeverall States of this Realm; but firſt to the *Clergie* by name. In generall to the *people of England, the King promiſeth to keep the Laws and Cuſtoms to them granted by his lawfull and religious Predeceſſors.*

b Ib.

c The Kings Oath taken at Coronation I, G. p 1.

Predeceſſors. Under this word *People* are comprehended the *Nobilitie*, *Clergie*, and *Commons* of this Kingdom. Afterwards diſtinguiſhing them into ſeverall ranks, he begins with the *Clergie*, promiſing that he will *keep to them the Laws, Cuſtomes, and Franchizes granted to them by the glorious King S. Edward his Predeceſſor*. Secondly, he promiſeth to *keep peace and* GODLY AGREEMENT *entirely, to his power, both to God, the holy Church, the Clergie, and the People*. Here alſo, you ſee, his promiſe to the *Church*, and *Clergie*, goes before that to the *People*. In the third branch His Majeſtie promiſeth *to his power to cauſe Law, Juſtice, and diſcretion in mercy and truth to be executed in all* HIS JUDGEMENTS, to all before named. Next he *grants to hold and keep to the Commonalty of this* HIS KINGDOM, *the Laws, and rightfull Cuſtomes, which they have* TO THE HONOUR OF GOD [mark that] *ſo much as in him lyeth*. The *Commonalty*, you ſee, are not mentioned, till we come to the fourth clauſe. And laſt of all, leſt the *Biſhops*, though implied in *Church* and *Clergie*, ſhould ſeem to be omitted, and an evaſion left to ſome malignant ſpirits, to work their ruine, and yet ſeem to continue a *Clergie*; the King promiſeth to the *Biſhops* in particular, that he will *preſerve and maintain to them all Canonicall priviledges, and due Law and Juſtice; and that he will be their Protector and Defender*. How then can he deſert them, or leave them out of his protection?

18. Theſe promiſes made, the King ariſeth, is led to the Communion Table, where laying his hand upon the holy Evangelists, he makes this *ſolemne Oath* in the ſight of all the people: *The things, that I have promiſed, I ſhall perform and keep; So help me God, and the contents of this Book*. Though then the promiſes be ſeverall, the *Oath is but one*: and ſo no *former*, no *latter Oath*; not two, but *one Oath*. And *The Kings Oath to the people* is not firſt *taken*; but you are wholly miſtaken.

d The Kings Oath to the people, firſt taken for their protection, &c. I. G. c. 7.

19. If any man deſire to know, who the *People* and *Commonalty* of this Kingdom are, let him look into *Magna Charta*; where he ſhall find them marſhalled into ſeverall eſtates, Corporations, and conditions. There you ſhall alſo ſee the ſeverall Laws, Cuſtomes, and Franchizes, which the King and his religious Predeceſſors have from time to time promiſed, and

sworn, to keep and maintain. That *Great Charter* begins with the Church; *e Inprimis concessimus Deo: First, we have granted to God, and by this our present Charter have confirmed, f in behalf of our selves and our Heirs for ever, that the Church of England be free, and that she have her Rights entire, and her Liberties unmaimed.* Now Sir *Edw: Coke*, that Oracle of the Law, tels us, that *g this Charter for the most part is but* DECLARATORY OF THE ANCIENT COMMON LAWS OF ENGLAND: *to the observation whereof* THE KING WAS BOUND AND SWORN. And not onely the King, but *h the Nobles and Great Officers were to be* SWORN *to the observation of Magna Charta: i which is confirmed by thirtie and two Acts of Parliament.*

20. The *Liberties of this Church*, as I have gleaned them from *Magna Charta*, and Sir *Edw: Coke* are these. First, that *k the possessions and goods of Ecclesiasticall persons be freed from all unjust exactions and oppressions.* Secondly, that *l no Ecclesiasticall person be amerced* (or fined) *according to the value of his Ecclesiasticall Benefice, but according to his Lay tenement, and according to the quantitie of his offence.* Thirdly, that *m the King will neither sell, nor to farm set, nor take any thing from the demeans of the Church in the vacancie.* Fourthly, that *n all Ecclesiasticall persons shall enjoy all their lawfull Jurisdictions, and other rights wholly without any diminution or subtraction whatsoever.* Fiftly, *o A Bishop is regularly the Kings* IMMEDIATE OFFICER *to the Kings Court of Justice in causes Ecclesiasticall.* Sixtly, *p It is a Maxime of the Common Law, that where the right is spirituall, and the remedy therefore onely by the Ecclesiasticall Law, the consusms thereof doth appertain to the Ecclesiasticall Court.* Seventhly, *q* Sir *Edw: Coke* tels us from *Bracton*, that *r no other but the King can demand* (or command) *the Bishop to make inquisition.* Eightly, *s Every Archbishoprick and Bishoprick in England are holden of the King per Baroniam* (by Baronry). *And* IN THIS RIGHT THEY THAT WERE CALLED BY WRIT TO THE PARLIAMENT, WERE LORDS OF PARLIAMENT. *t And every one of these, when any Parliament is to be holden, ought ex debito Justitiæ* (by due of Justice) *to have a Writ of Summons.* And this is as much as any Temporall Lord can chaleoge. The conclusion of all is this, that *u neither the King, nor His Heirs* (or Successors)

e Mag. Charta c. 1

These words are added to avoid all scruples that this Great *Parliamentary Charter* might live, and take effect *in all successions of ages* for ever. Sir *Ed Coke* in loc.

g Sir *Edw Coke* Proeme to Magna Charta.

h Ib.

i Ib.

k Sir *Ed Coke* in Mag. Chart c. 1.

l Mag Cha c. 14.

m Ib. c. 1.

n Sir *Ed. Coke* in Mag. Chart. c. 1, Sect. Et habebunt.

o Sir *Ed. Coke* in Litleton l. 2, Sect. 201.

p Ib. in Sect. 136

q Ib. in Sect. 201.

r Nullus alius præter Regem potest Episcopo demandare inquisitionem faciendã. Bract. li. 109.

s Sir *Ed. Coke* in Mag Chart c. 1. Sect Et habeant.

t Sir *Ed. Coke* in 4th part 14 c. 1. Sect Of what persons.

u Mag. Cha. c 38.

ſors) *will ever endeavour to infringe or weaken theſe Liberties. And if this ſhall be done* BY ANY OTHER, *nihil valeat, & pro nullo habeatur*, let it be of no force, and paſſe for nothing. Hence x *it is provided by Act of Parliament, that if any Judgement be given* CONTRARY TO ANY OF THE POINTS OF THE GREAT CHARTER, *by the Juſtices, or by any other of the Kings Miniſters whatſoever*, IT SHALL BE UNDONE, AND HOLDEN FOR NOUGHT. *Let all true hearted Engliſhmen obſerve this, that are lovers of their Countreys liberties.*

x Sir Ed. Coke Proeme in Mag. Chart.

21. We have ſeen, what the King hath granted & ſworn, as alſo in what order; and that the *Oath* is *but one*. And yet Mr. *Geree* goes forward, as if it were certain without queſtion, that this to the *Clergie*, were a ſeverall *Oath* from that to the *people*. Confidently therefore he preſſeth it, that y *the King cannot afterwards ingage himſelf*. Whereas he *ingaged himſelf* alike to *his people* at the ſame inſtant, that he would preſerve the priviledges both of *Clergie* and *Commonalty*, becauſe both *his people*. Now, why His Majeſtie ſhould be bound to maintain the priviledges of that one eſtate, rather then of the other, I cannot conceive. Eſpecially when I conſider, that z *the priviledges of the Clergie are granted to God*; without whoſe bleſſing nor *privilege*, nor *people* can be preſerved. The King then herein *non ceſſit jure ſuo*, hath not *yeelded up* the *Clergie* or *his right* to any other; neither can he with a ſafe conſcience do ſo. But ſince a *Magna Charta* hath been ſo often *confirmed*, even by 32. *ſeverall Acts of Parliament*, the *Parliament*, in that ſenſe you take it, *hath parted with that right it had*, by theſe ſeverall Grants and Confirmations: and we ought in juſtice to enjoy our priviledges, and they to maintain them; unleſſe they mean to affront and ſubvert ſo many Acts of Parliament, and that main *Charter* and honour of this Kingdom. As if they onely had the *judgement of infallibilitie*; which *Scotland* denies. Declarat. of the Kingdom of Scotland, p. 19.

y He cannot afterwards ingage himſelf to any particular eſtate to exempt it from this power: for by that Oath at leaſt *ceſſit jure ſuo* I G p 3

z *Concerſimo Deo, quod Eccleſia Anglicana libera ſit* Mag Chac. 1.

a Sir Ed. Coke Freem. in Mag. Chart.

CHAP. IX.

How far forth, and wherein the Clergie is ſubject to a Parliament, and to what Parliament.

1. THe net is prepared, the ſnare layed, danger is at hand, and yet we muſt not forſake, or betray the truth in time of need. The nooſe layed by our *Church adverſary*, is this:

a I.G. p.9. b *The Clergie and their priviledges are ſubject to the Parliament, or they are not.* To this we muſt ſay, yea, or nay; and the man thinks he hath us ſure enough. But the man is miſtaken, one meſh is not well made up; and I muſt tell him, that *we are ſubject to the Parliament, and we are not. Subject we are to the Parliament*, conſiſting of *head* and *members*; but not to the *members* without the *head*, nor to the *members* alone; ſince we are ſubject to the *members* meerly for the *heads* ſake; and in thoſe things onely, wherein he ſubjects us to them. Set apart the *head*, and we are fellow members, fellow ſubjects. For I owe no temporall ſubjection to any or many Subjects, but onely for the Kings ſake. Though the Parliament be a great, a repreſentative, an honourable body, yet it is but a *body*: And that *body*, with every member thereof, owe obedience and ſervice to the *head*; not one to another. I ſay nothing, if I

c 1 S. Pet. 2. 13. 14. prove it not by Scripture. c *Submit your ſelves to every Ordinance of man for the Lords ſake; Whether it be to* THE KING AS SUPREME; *or unto Governors*, AS UNTO THOSE THAT ARE SENT BY HIM, by the King. As if he ſhould ſay, *Submit your ſelves to the King, for the Lords ſake*; and *to* other *Governors for the Kings ſake*. For *Kings have their Commiſſion from God*; but all State Governors from the King: and I owe them no ſubjection beyond their Commiſſion. If then it ſhall pleaſe the King to give the members of Parliament power over us, we muſt ſubmit either by doing, or ſuffering. Either by doing, what they ſhall command, or by ſuffering, what ſhall be inflicted on us.

2. Subjection is not due to them, as they are great, or rich men; but as they are the Kings Miniſters. This is evident, be-

d Lex terræ p.8. cauſe d all Commiſſions breath and expire with the King upon

e Upon death of the King follows neceſſarily the diſſolution of *Parliament*. None of us, that are meer Subjects, have at ſuch a time power one over another, but onely by advice; none of us authority, but onely as this or that man hath gained eſteem by his wiſedome and integritie. Onely the *Preiſthood* never dyes, becauſe *Chriſt* ever lives, from whom the *Preiſt* hath his Commiſſion. But all other ſubordinate powers expect a new Commiſſion from the ſucceeding *Prince*. This experience taught us upon the death of *Queen Elizabeth*.

e Ib.7.

3. Though this be truth, yet no truth can charge us, that f *we claime exemption from ſecular power*. You ſee, we acknowledge our ſelves ſubject to the King, as alſo to thoſe Miniſters, that he ſets over us. But as theſe may not exceed their Commiſſions given by the King; neither may the *King* exceed his Commiſſion granted him by God. The *Kings* Commiſſion is like the *Preiſts*, g *ad ædificationem, non ad deſtructionem*, for upholding the Church and ſervice of God; not for the ruining of either. And the *King* may not grant a larger Commiſſion to his miniſters, then himſelfe hath received from the King of Heaven. His Commiſſion is, to be h *a nurſing father to the Church*, not a ſtep-father; to i preſerve to her all her rights and dues, to ſee, that ſhe be provided with neceſſaries, and to protect her againſt her profaine and ſacrilegious enemies. Surely if our Soveraigne hath intruſted the *Parliament* with any power over the Church and Church-men, it is but with ſome part of that, wherewith God hath enriched him, and no other.

f I hope they will not now claim an exemption from ſecular power. 1 G.p.7.

g 2 Cor.13.10.

h Iſ. 49.23.

i Meaning, that Kings converted to the Goſpel, ſhall beſtow their power and authoritie. *ſee the preſervation of the Church* Gen note in Iſ. 49.23.

4. Well, k *if we be under Parliamentary power, it cannot rationally be conceived, to be the meaning of the King* ſo to ſubject us to the *Parliament*, as to forget, or renounce *his oath*, by deſtroying the *priviledges of the Clergie* (which he hath ſworne to *preſerve*) *againſt* (or in diſhonour to) *that power to which they are legally ſubject*. How far we are *legally ſubject* to this *Parliament*, I know; and how far we are, or may be *under Parliamentary power*, I have alreadie declared. The *power* we are *legally ſubject to*, is his *Royall Maieſtie*; and it is not, it cannot be, the *meaning of the Kings oath, to preſerve our priviledges againſt* his own *power*, or to exempt us from his iuriſdiction. Let the world judge, whether your, or our *priviledges* and principles be diſtructive of *legall*

k But if they be under Parliamentary power, how can it rationally be conceived to be the meaning of the Kings Oath to preſerve the priviledges of the Clergy againſt that power to which they are legally ſubject? 1. G.p.7.

l Canons Eccles. can. 1.

gall power. We are bound by Canon 1 *faithfully to keepe and observe,* (*and as much as in us lieth*) *to cause to be observed and kept of others, all and singular Laws and Statutes made for restoring to the Crown of this Kingdome, the ancient Jurisdiction over the State Ecclesiasticall,* m AGAINST ALL USURPED and forraign POWER. Marke that; it is not onely *against forraign,* but it is *against usurped,* and *all usurped power.* Shew me, if you can, one such loyall Canon or resolution from any Presbyteriall Assembly. n This *Jurisdiction Ecclesiasticall* is by the Lawes and Statutes *restored to the Imperiall Crown of this Realme,* and not upon the *Parliament*; because it is by Gods Word settled upon the Crowne.

m 1 Eliz. 1.

n Ib.

o Can. Eccles. can. 2.

5. o This *authority in causes Ecclesiasticall was in the godly Kings amongst the Jewes, & Christian Emperors* in the primitive Church; and hath been exercised by the Kings of this Realme, according to an Act of Parliament in that behalfe, *An.* 32. Henr. 8. *c.* 36. According to this *Statute* were the *Bishops* and the rest of the *Clergie* assembled by *King Edward* VI. and *Queene Elizabeth* for composing the *Articles of Religion,* which were allowed to be holden and executed within this Realme, by the assent and consent of those *Princes*; and confirmed by the subscription of the *Arch-Bishops* & *Bishops* of the upper House, and of the whole *Clergie* in the neather House in their *Convocation.* As is to be seen in the *Ratification* of those Articles. Agreeable to the same Statute, the *Arch-Bishops, Bishops* and other of the *Clergie* were summoned & called by *K. James* to treat of *Canons* and *Constitutions Ecclesiasticall*; Which were by them agreed upon *An. Dom.* 1603. and were by the same King of blessed memorie ratified and confirmed by his *Letters Patents.* And

p 1 Eliz. 1.

I am certaine, that we have subscribed and sworne, p *That the Kings Majestie under God is* THE ONELY SUPREME GOVERNOR *of this Realme, and of all other his Highnes Dominions and Countries, as well in all Spirituall, or* ECCLESIASTICALL THINGS OR CAUSES, AS TEMPORALL.

q Or how were the Oath in that sense consistent with the *priviledges of the Nation, formerly from time to time* the King. I. G. p. 8.

6. The substance of your touchie argument is, I hope, satisfied in the eye of every moderate and discreet man. The rest, that follows is but a Rhetoricall flourish, or reiteration of what passed before, as if q the *Kings Oath* to the *Clergie* could

could not be *consistent with the priviledges of the Nation, formerly by him sworn to.* As if, without peradventure, there were a *former* and a *latter Oath*, which I have proved to be most false. And as if we of the *Clergie* were none of the Nation. Or as if we were bastards, and not legitimate; slaves, and not free-born subjects. And yet, blessed be God, diverse of our *Orthodox Clergie* are as well descended, as any that speake against them, Is this, my good brother, to *r reverence the Preists, and count them holy?* Is this the way to invite men of worth, to incorporate themselves into your *Presbyteriall Hierarchie?* Surely we are a part of this *Nation*, to whom this *promissory Oath* was made. Our *Rights* consisted comfortably many yeers with the priviledges of the people, to the honour of this *Nation*, and to the astonishment of others. With what face then can you say, that the *Kings Oath to the Clergie* cannot be *consistent with the priviledges of the Nation?* Whereas it is evident, that in three or foure yeers this Nation is so weary of the Presbyteriall encrochments, that they can no longer possibly endure them.

r Thou shalt count the Priests holy, and reverence them. Gen. note in Levit. 21. 8.

7. But by your words it seems, *when* and while the *Clergy were a distinct corporation* from the Laitie, the *Oath had this sense*, viz. that the *Kings oath to the Clergie was consistent with the priviledges of the Nation.* That must be the sense, if I know what sense is. But the *Clergie* were and are a *distinct corporation.* In ceasing to be *Popish*, we are not ceased to be *Preists*: neither is that necessary and just *exemption*, or distinction yet *abolished.* If it be, why are you so zealous, to distinguish us and our *priviledges*, from the *people* and their *priviledges?* Whereas if we be all one without *distinction*, our *priviledges* must needs be the very same; and so no *inconsistencie* at all. But of this more fully Chap. 11.

s If the Oath had such a sense in the times of *Popery*, when the Clergy were a *distinct Corporation*, yet when that *exemption* was abolisht, as a branch of *Antichristian usurpation*, the change of their condition must needs change the intention of the Oath. I. G p. 8.

8. A *Popish exemption* it was for the Clergie to be free from the Kings Commands. But this is *abolished*, and we readily submit to every Ordinance of man; and wish, that you, and your Assembly brethren would learn the same Christian obedience. A *Popish exemption* it is for the *Bishops* and their Churches to know no Governor but the *Pope.* That also is disclaimed, and at the *Kings Coronation* it is publickly acknowledged, that the *Bishops and their Churches are under the Kings government.*

ment. The *Antichriſtian uſurpation* is condemned, and true *Chriſtian ſubjection* juſtified. The *King is the onely Supreme Governor*, to him we owe obedience, and to others for him, and under him. And though all *Antichriſtian uſurpation* were aboliſhed upon the death of *Queen Mary*, yet in all the *Acts* ſince that time to this preſent *Parliament* the *Lords ſpirituall* are diſtinguiſhed from the *Lords temporall*, the *Clergy* from the *Laity*, and the *Convocation* from the *Parliament*. Yea even in theſe times of confuſion, the *Clergie* are doomed by your great Maſters, to be unfit for Lay, or Civill imploiment. If there be no ſuch men, then was that ſentence ſenceleſſe: & while we are of the ſame *Corporation* with them, we are as capable of any office of State, as the reſt of our fellow-ſubjects, even to be Members of both Houſes. But this *diſtinction* is ſtill on foot; the *Kings Oath* therefore to us is ſtill binding; eſpecially ſince our immunities may as well ſubſiſt with the priviledges of the Commons, as the priviledges of *Briſtoll* with the Franchizes of *London*.

9. Indeed you may will twit us with the *change of our condition*; for we have iuſt cauſe with *Biſhop Latymer* to complain, that [z] *there is a plain intent to make the Clergie ſlavery*: which was far from the *intention of this Oath*, till your faction prevailed in the *change*. But what inconvenience will follow, if we confeſſe, that the *intention of the Oath was changed, with the change of our condition?* Not that, which you aime at. For therein, and ſo far forth onely is the *intention of the oath changed*, as our *condition is changed*. But wherein is our *condition changed?* A *Church* we are ſtill; *Biſhops* and *Preiſts* we are ſtill; onely our *condition* is thus far *changed*; before we were ſubject to *Antichriſtian uſurpation*, but now we are altogether for *Chriſtian Allegiance*. Before our *Biſhops* and *Preiſts* were ſubject to the *Pope*; but we ſubmit wholly to the *King*. And I hope, we ſhall not fare the worſe for that. The *Kings Oath* is, to protect the Church, as it is, not as it was; not as ſhe was *popiſh* and *ſuperſtitious*, but as ſhe is *Catholick* and *Apoſtolike*. Then ſhe was ſubject to the *Pope*, and free from the *King*, but now ſhe is ſubject to the *King*, and free from the *Pope*. But you would faine enforce us to our old vomit; for we cannot but diſcern, that a far more intollerable tyranny is drawing on, by how much the more dangerous it

[z] *Bp. Latymers Serm. before K. Edw. VI. march 8. 1549.*

is

is to be ſubject to a multitude, then to one; to a multitude at home, then to one abroad: Both of them being equally deſtructive to the liberty of the Church, and alike contrary to the Word of God.

10. Beſides, the *change of our condition* is either for the better or the worſe. If for the worſe, this is to maintain Popery. He that ſaith our *condition* is changed for the worſe, juſtifies, that it is better for us to be ſubject to the *Pope*, then to the *King*. If for the better, then muſt the *intention of the Oath be changed* for the better. For are not theſe your words, that the *change of the Clergies condition muſt needs change the intention of the Oath?* Without queſtion the *intention of the Oath* was to protect all his ſubjects in their ſeverall places, dignities, add degrees; and not to ſuffer them to oppreſſe or devoure one another, to ſee juſtice done for them and upon them, according to the Laws eſtabliſhed; and not to yeeld to any Law, that may be diſtructive to the rights or liberties of any of his ſubjects.

11. The *intention of the Oath* is, to maintain the ancient, legall, and juſt rights of the Church; and to preſerve unto the *Biſhops* due law and juſtice. We deſire no more, and no man may with reaſon deny this, to be the *intention of the Oath*. The The words are plaine: Sir, *will you grant, and keep, and by your Oath confirme the Laws, Cuſtoms, and Franchizes granted to the Clergie by the glorious King* S. *Edward, your Predeceſſor, &c.* And again; *Our Lord and King, we beſeech you to pardon and grant, and preſerve unto us, and to the Churches committed to your charge, all Canonicall priviledges, and due Law and Juſtice.* All *this the King hath ſworne to performe*; and hath acknowledged, that *by right he ought* to do it. And would you have him to be forſworne, and to neglect that, which *by right he ought* to make good? Surely you would make an excellent ghoſtly father for the man of ſin.

12. Neither is this the peculiar opinion of us Church-men onely; that great Oracle of the Law reſolves, that [a] *The King is bound to maintain and defend the rights and inheritance of the Church*. And he gives two reaſons for it; firſt, becauſe the *Church* is alwaies in her minoritie, it is *under age*: Seconly, *ſhe is in Wardſhip to our Lord the King*. And then he addes, [b] *Nec eſt*

[a] Eccleſia eſt infra ætatem, & in cuſtodiâ Domini Regis, qui *tenetur* jura & hæreditates ſuas manu tenere, & defendere. Sir *Ed. Coke* in Mag. Chart. c 1 [b] Ib.

eſt juri conſonum, quod infra ætatem exiſtentes, PER NEGLIGENTIAM CUSTODUM SVORUM *exhæredationem patiantur, ſeu ab actione repellantur: Neither is it conſonant to the Law* (nor yet to conſcience), *that thoſe who are under age, ſhould either be ſpoiled of their inheritance, or barred from action at Law,* THROUGH THE NEGLIGENCE OF THEIR GUARDIANS. Eſpecially *Kings* being *by divine Ordinance* made Guardians and *nurſing fathers to the Church.* Eſ. 49. 23.

13. You ſee, we have divine and humane law for what we ſay, we claime no c *priviledges long ſince by Act of Parliament aboliſht.* We deſire not his Majeſtie to *contradict*, but to ratifie *his Oath*, and to *maintain thoſe Laws* he found in force. But as for you, all your endeavour is to perſwade the *Laity*, that our weale is their woe, and that the upholding of the *Clergie* in their due and ancient ſtate, would be certain ruine to the *Commons.* As if our Priviledges were like d *Pharaohs lean kine*, ready to devoure the fat of the *Laity*: as if our aime were to reduce *Antichriſtian uſurpation*, & to ſubvert the ancient Laws. Whereas every man may readily diſcern, that theſe are but pretences. The true end aimed at in theſe invectives and incentives, is that the *caninus appetitus* the wilde ravenous ſtomachs of M. *Geree* and his fellow *Presbyterians* may be ſatisfied. But at ſeven yeers end they will be as lank and hungrie as *Pharaohs* famiſhed kine. It was ſo with King *Henry* VIII: and it will be ſo with all, that tread in his ſteps.

14. e *Its apparent then to make the intention of that Oath* to be falſe and fallacious, and under pretence, that it may not *be againſt legall alteration*, ſo to wreſt it, that it may be to the ruine of a great body of his ſubjects, and thoſe not the worſt; that it ſhall be againſt all Law and conſcience, (for f *that Law, which is unjuſt is no Law*): That it ſhall be to the ſubverſion of the true Religion and ſervice of God, to the diſtraction of his people, and to the eternall diſhonor of himſelf and the whole Kingdome, makes his Oath in your ſenſe utterly unlawfull. And if unlawfull, then is it not obligatory either *in foro conſcienciæ*, or *in foro juſtitiæ*, either before God, or any good man; unleſſe it be to do the contrary. But if this Oath in the true and literall ſenſe be not *againſt legall alteration*, but againſt unjuſt

c Vnleſſe they will ſay, that the Crown ſtands ſtill ingaged to them, to maintain ſuch priviledges, as by *Act* of Parliament were long ſince aboliſht: which is to make his Oath to them contrariant to that taken before, for the maintenance of the Laws. I. G. p. 3.

d Gen. 41. 4.

e It's apparent then, to make the intention of the Oath to be againſt *legall alteration* of their priviledges by Parliament, makes it unlawfull, and ſo not obligatory. And if it be not intended againſt legall alteration, the *King may* paſſe a Bill for the abolition of Epiſcopacy *when he Houſes of Parliament think it convenient*, and petition for it, without violation of his Oath. I. G. p. 8.

juſt oppreſſion, ſacriledge, and profaneneſſe, manifeſt it is, that it is both *lawfull and obligatory*; and the King may not, *without violation of his Oath*, and certain danger of the pure and undefiled Religion, *paſſe a Bill for the abolition of Epiſcopacy*, what ever *His Houſes of Parliament think*, or *Petition*, or preſſe never ſo violently.

15. But your opinion is, that the *King may paſſe a Bill, for the abolition of Epiſcopacy*. And what I *thinke*, or what the King *thinks*; it is no matter if *His Houſes of Parliament think it convenient, he may* do it. It is wonder, you had not ſaid, he muſt do it. Indeed you ſay that, which is equivalent; for are not theſe your words; g *He cannot now deny conſent* (to their abolition) *without ſin?* And if the King *without ſin cannot deny it*, then muſt he aſſent unto it. Thus by your words it ſeemes, he is at their diſpoſing, not they at his. Indeed, if a man may beleeve you, the power is in the *Houſes*, and not in the *King*. For do not you ſay, that h the *Peers and Commons in Parliament have power, with the conſent of the King, to alter whatſoever*, &c. And againe; i *There's no queſtion of* POWER IN THE PARLIAMENT *to over-rule it*. The *power*, it ſeemes, is in them, *conſent* onely in the King. And here, *The King may paſſe a Bill, when His Houſes think it convenient*. Well, *he may*, and he may chooſe; he may conſent, or diſſent. k *Cujus enim eſt conſentire, ejus eſt & diſſentire*. And ſo long we are well enough. For *the Kings Negative* in Parliament is a full teſtimony of his Supreme power. Hence is it, that the *Houſes Petition for his conſent*, which they need not do, if the *power* were in the Houſes. Beſides, *His Houſes*, the Kings Houſes, you call them; and ſo they are. This alſo manifeſts, that they are at his diſpoſing, and not He at theirs. They muſt therfore wait his pleaſure, til *he thinks it convenient*. His conſent they may *Petition* for, enforce they ought not, ſince they are his ſubjects; enforce it they cannot, ſince l *he hath power over his own will*. And whatever you ſuppoſe, it is in his *power* to *conſent*, or diſſent, when he ſees it convenient; and conſequently to keep, or not to keep his Oath. His affirmative makes it a Law; his negative denys it to be a Law. For m *The King is the onely Judge*, whether the Bills agreed upon, and preſented, be for the publick good, or no: And to

g I.G. p. 9.

h Ib. p. 7.

i Ib. p. 5.

k He that hath power to conſent hath power alſo to diſſent.

l 1 Cor. 7. 37.

m Lex terræ, p. 14, 15.

take away the Kings negative voice, is contrary to your *Covenant*; *it diminisheth the Kings just power and greatnesse*; *and cuts off all Regall power*. Witnesse the Declaration of the Kingdome of Scotland. *p.* 18.

CHAP. X.

Whether it be lawfull for the King, to abrogate the Rights of the Clergie.

1. THe question proposed is concerning *Episcopacy*; but now you are fallen to the *Rights of the Clergie*. As if this were a sound and unanswerable argument, *It is lawfull for the King to abrogate the Rights of the Clergy*: *Ergo*, *It is lawfull for him to abrogate Episcopacy*. It is for all the world, as if one should say, *It is lawfull for the King to take away the Rights of Lawyers*; *Ergo*, *he may also take away Judicature*. Yet all men would say, that this were flat tyrannie; since without Judicature no man can compasse, or enjoy his own with peace.

2. But I shall return your argument so upon you, as shall concern you more neerly. *It is lawfull for the King to abrogate the Rights of the Clergie*: *it is therefore lawfull for him to abrogate Presbytery*. How like you this? Is it not your own argument, changing terme *Episcopacy* into *Presbytery*. Ye have strooke out the former & set up the latter in the place of *Episcopacy*. And your scholers, by the same argument, may live to root up thut too, if any lands be annexed to this great *Diana* of *Geneva*. Thus you have made a rod to scourge your selves with.

3. But you will say, that though it be legall for the King, to *take away the Rights*, yet he may not destroy the *Order*. And why so? Because the *Rights* are granted by man, but the *Order* was settled by God: And what God hath ordained, is not lawfull for man to abrogate. I must return you the same answer, since tis sufficiently justified. *C.* 4. 5. *That the Order of Episcopacy is the immediate institution of our B. Saviour*, and Ministeriall root, from whence all Orders spring. Though then this be n the *usuall way of cleering this* your *assertion*, and you o *conceive it to be a sound resolution*, yet learned men see, that you have said

n I. G. p. 2.
o Ib.

ſaid juſt nothing, unleſſe you confeſſe, that the *Order of Presbyter* may likewiſe be extirpated by Royall authority.

4. But return we to the *Rights of the Clergie*, and take notice upon what grounds you ſuppoſe it lawfull for the King to *abrogate thoſe Rights*, which he hath vowed ſo ſolemnly to maintain. p *The King* (ſay you) *is ſworne to maintaine the Laws of the Land in force at his Coronation. Yet it is not unlawfull for him after to abrogate any* of them, *upon the motion, or with the conſent of his Parliament.* I am glad that you acknowledge it to be the Kings Prerogative, *to maintaine the Laws of the Land*; and that *it is not unlawfull* for him, *to abrogate any* of them *with the conſent of his Parliament.* If he be bound by Oath, either he hath power to *maintain theſe Laws*, or not. If he hath not power, it is a ſenſeleſſe Oath. If he hath power, where is it? What is become of it? Hath he reſigned it? We know the contrary. Hath he forfeited it? To whom? To his ſubjects? He can no more forfeit his *Regall power* to his ſubjects, then a father the right of fatherhood to his children. He is no more a King upon condition, then a father is a father upon condition. His power he hath not from the people, but from God. q *Per me Reges regnant, by me Kings reign*, ſaith God. And, I hope, God ſpeaks no untruth. His ſubſtitute the King is, for r *He ſits on Gods* (not on the peoples) *throne*; and ſ *King he is for the Lord*, in his ſtead.

p Ib.

q Prov. 8.15. Cujus juſſu naſcuntur homines, hujus juſſu & Reges conſtituuntur. Iren. l.5.p. 601.

r 2 Chron. 9.8.

ſ Ib.

5. If you object miſdemeanours, or bearing armes againſt His *Parliament*; your ſelf ſay, that t *He is ſworne to maintain the Laws of the Land.* The Laws, Liberties, and Properties were all at ſtake, they were trampled upon by his faithleſſe, but potent Subjects. This enforced him to take up u that *ſword*, which he ought not to *beare in vaine*, but to x *execute wrath on the Miniſter of God, upon them that do evill*; upon ſuch, as plunder his good ſubjects, and turn them out of houſe and home. For y *the King is* made by God the *Supreme* Governor, *for the puniſhment of evill doers, as alſo for the praiſe of thoſe, that do well.* But ſuppoſe the King were a tyrant, as bad as bad may be, yet z *we ought from our hearts to give him all due honour*; ſo *Beza*; and not to rob him of his juſt power. If he ſin a *it is againſt God onely*; and to him onely he muſt account; not to his Subjects.

t 3. C. p. 2.

u Rom. 13.4.

x Ib.

y 1 S. Pet. 2.13, 14

z Magiſtratibus ex animo deferendus eſt honor, etiam tyrannis. Beza in Act. 23.5

a Pſal. 51.4.

6. Well, bound he is by Oath, b *to maintain the Laws, while*

b 1. C. p. 2.

they

they are Laws. As yet then the *rights of the Church* are ſafe, and *the King is bound to maintain them.* But how long are theſe *Laws in force?* c Till *they are abrogated* BY JUST POWER IN A REGULAR WAY. They are your own words, and we ſubſcribe them. But the *juſt power* is in His Majeſtie, by your own confeſſion, both d to *maintain*, and to *abrogate* Laws. And the *regular way*, ſay you, is *at the motion, or with the conſent of* HIS PARLIAMENT. But with all our loyall Predeceſſors we ſay, *at the petition*, or humble ſuit [not *at the motion*] *of His Parliament.* And His it is, *his* they are all, though Members of *Parliament*, ſince the *Parliament* is *His.* They are not then a *Parliament* of themſelves, at their own choice, or diſpoſing, nor yet without him. *His* they are; I am ſure, they ſhould be ſo; I would to God they were ſo. * *The King is the fountain of honour and power* within his own Dominions. And e *who may ſay unto him, What doeſt thou?* Why doeſt thou honour this man, and not that? Why doeſt thou call a *Parliament* at this time, and not at that? f *Impius eſt, qui Regi dixerit, iniquè agis: He is impious, that ſaith unto the King, thou dealeſt injuſtly*, or unequally. So the Fathers read that place. No obbraiding, no controulling of a King; g *He can do no wrong.* So the Law.

c Ib.

d The *King* is ſworn to *maintain the Laws* of the Land in force at his Coronation. Yet no man queſtions, & the conſtant practiſe ſhews, that it is not unlawfull after to *abrogate any thing upon the motion, or with the conſent of* HIS PARLIAMENT. I.G. p.2.

* Declarat. of the Kingd. of Scotland. p.22.

e Eccleſ. 8. 4.

f Ib.

g Lex terræ, p.29.

7. *His*, the Kings, they are, when they are met, and ſet in *Parliament*, h *His great Councell, Magnum Concilium Regis*; i *His Houſes*, k *His Parliament.* And l therefore called ſo, that they may *Parlar la ment*, ſpeak their minds freely for the generall good. Him they may entreat, not controul; adviſe, not command; perſwade, not enforce. Suppoſe, the King grants them power and authoritie, he grants them none either over, or againſt himſelf: this he cannot do. This were to ſet the Members above the Head, and to make his Subjects ſuperior to himſelf. This were to deſpoil himſelf of the power of the Sword. But this he may not do, ſince m God hath made him *ſupreme*, and n given him the charge of the *Sword.* And His Majeſtie may not invert that order, which God hath ſet; neither may he repeal Gods ordinance, or make it void. God hath laid the charge upon him, and he cannot with a ſafe conſcience decline it, or neglect it.

h Sir Ed. Coke in Litleton, l.2. Sect. 164.

i I.G. p.8.

k Ib. p. 2.

l Sir Ed: Coke in Litleton, l. 2. Sect. 164.

m 1 S Pet.2.13.

n Rom. 13.4.

o Gen. 41.40.

8. Obſerve, I beſeech you: o though *Pharaoh* ſet *Joſeph over his*

his houſe, and over his people to rule and arm them at his pleaſure: though *Joſeph* were ſo p *made Ruler over all the land of Egypt, yet* p Ib. v. 43.44.
without him no man might lift up his hand or foot, within that land; yet *Joſeph* is not *king*. q *Pharaoh* keeps his throne; and therein q Ib. v. 40.
is he *greater then Joſeph*, who ſtill is but *Pharaohs deputy*, though r *Lord of all Egypt*. And though he be ſ *a father to Pharaoh*, yet t is r Gen 45.9.
he ſtill at his command. Thus is it with the *Parliament of Eng-* ſ Ib. v. 8.
land; though they are put in higheſt truſt by the King, yet are t Ib. v. 19. & 21.
they ſtill at his diſpoſing, either u to be *adjourned, prorogued,* u Lex terræ, p. 27
or diſſolved at his pleaſure; and are at his command in all things lawfull and honeſt. To this great Councell we are no further to ſubmit, then in thoſe things they are ſent for by the King, and ſo far forth as they have commiſſion from him. S. *Peter* ſaies the ſame. x *Submit your ſelves unto* THE KING AS SU- x 1 S. Pet. 2. 13,
PREME, *or unto Governors* AS UNTO THEM, THAT 14.
ARE SENT BY HIM, by the King. So far forth, and in ſuch things, for which they are ſent, I owe them obedience; but no further.

9. How far forth the King is ſworn to *maintain the Laws of the Land*, and upon what grounds they may ſafely be repealed, we have alreadie ſeen. Now we are called upon to deſcend to the *Rights of the Clergie*; whereof your reſolution is this, by way of conſequence. y *So the King by his Oath is bound to main-* y I, G. p. 2.
tain THE RIGHTS OF THE CLERGIE, *while they continue ſuch*. But, bleſſed be God, *ſuch they do continue: the King* therefore *by Oath is bound to maintain them.*

10. z *But* (ſay you) *if any of their Rights be abrogated by juſt* z Ib.
power, he ſtands no longer ingaged to that particular. Why, I beſeech you, do you leave out ſomething here, that you held neceſſary for the *abrogation of the Laws of the Land*. Before it was, that *the Laws might be abrogated by juſt power in a regular way*. But here you grant, that the *Rights of the Clergie may be abrogated by juſt power*. But what's become of the *regular way?* Was it forgotten? or left out on ſet purpoſe? Surely there is a myſtery in it; for your argument ought to procede thus:

By what means the *Laws of the Land* may be abrogated, by the ſame means may the *Rights of the Clergie* be abrogated.

But the Laws of the Land may be abrogated *by juſt power in a regular way.* Ergo,

Ergo, The Rights of the Clergie may be abrogated *by juſt power in a regular way*.

Thus the Syllogiſme ſtands fair for the form; and the *Major* or *Minor* Propoſition muſt be denied by the reſpondent: otherwiſe he is at a *non-plus*, and convinced. But your concluſion is, *So*, or, *Ergo*, the *Rights of the Clergie may be abrogated by juſt power*. But this *ſo* is faultie; and ſo is the Syllogiſme; becauſe the *minor terminus* is maimed in the concluſion; it comes not in whole, as it ſhould do. The reaſon why, is plain; becauſe you are not able to ſet down a *regular way*, wherein, or whereby thoſe *Rights*, you aim at, may be aboliſhed.

11. And what wonder, that you can finde no *regular way* for the *Clergie* and their *rights*, ſince you have put them clean out of the *regular*, the right *way*. And when ye will find the *regular way*, God knows; for, plain it is, that ye are out of the way. Ye wander this way, and that way, like men in a Maze, or miſ-led by an *Ignis fatuus*, by Jack in a lantern. No rule at all you have to be guided by but onely this, that *the Book of Common Prayers muſt down*, and *Epiſcopacy ſhall not ſtand*. So farewell heavenly devotion, and all true faith; and farewell Church. If this be not to be poſſeſſed with the ſpirit of giddineſſe, and impietie, I know not what is.

12. But, I pray you, give me leave, before I paſſe further, to tell you, that *Juſt power* goes alwayes in a *regular way*. And when it leaveth that way, it ceaſeth to be *juſt*; unleſſe inforced by ſuch neceſſitie, as cannot be provided for in a *regular way*. That *power* onely is *juſt*, which doth nothing wittingly but what is *juſt*; and diſtributes to every man and ſocietie their ſeverall dues. If it do otherwiſe, we cannot call it *juſt*, unleſſe we deſire to incur that ſentence of the Almighty, a *He that ſaith unto the wicked, Thou art righteous, him ſhall the people curſe, Nations ſhall abhor him.*

a Prov. 24.24.

13. Well; be it *juſt*, or unjuſt; be it never ſo much *curſed* at home, or *abhorred* abroad, you are reſolved to juſtifie the *Abrogation of the Rights of the Clergie*. What? A *Clergie-man*, and a *Preacher of the Word of God*, and altogether for ruine and deſtruction? Surely you are not a Preacher of that Word, which S. *Paul* taught; for he profeſſeth, that b *authoritie is given* to men

b 2 Cor. 10.8.

men of our calling, *not for deſtruction*, but *for edification*. Shew me one Preacher in the word of God, beſides *Corah* and his confederates, that ever ſpake, or wrot any thing againſt the *Rights of the Clergie*. You cannot poſſibly, unleſſe you bring in *Judas* with his [c] *Ad quid*, finding fault, with that coſt, which was beſtowed upon our Saviours perſon. Indeed no man ſo fit for your turn; [d] he robbed and betrayed the *head*, and you the *body*. But you know, what cenſure is paſſed upon him for it; [e] *This he ſaid, becauſe he was a theife, and did carrie the bag*. He did, *and you would*. It is private, not publick intereſt, that ſtirres up ambitious and greedy ſpirits againſt *Chriſt* and his Vicegerents. I can ſhew you [f] S. *Paul* magnifying his office, and [g] juſtifying the priviledges therof. But you are none of S. *Pauls* followers; *Demetrius* and *Alexander*, ſilver-ſmiths and Copper-ſmiths, are your good Maſters, and with them I leave you.

[c] S. Matth. 26. 8.
[d] *Chriſt is the head of his body, the Church.* Col. 1. 18. 24.
[e] S. Joh. 12. 6.
[f] Rom. 11. 13.
[g] 1 Cor. 9. 1. &c. 2 Cor. 10. 4 &c. 2 Cor. 11. 7. 8.

14. But what are theſe *Rights* that you are ſo eagar to have *abrogated?* Every ſubject in his ſeverall place and degree hath *right* to his lands, to his goods, to his liberties and priviledges: and ſo hath every *Clergie-man*; unleſſe we of the *Clergie* be no longer ſubjects, but ſlaves. Would you have all theſe, or onely ſome of theſe aboliſhed? A queſtion it was at firſt, but now I ſee, what they are. Firſt, [h] *Epiſcopacy*. 2ly, [i] The *Clergies priviledges, & immunities*. 3ly, the [k] Biſhops *Eccleſiaſticall*, or *ſole Juriſdiction in ſo large a circuit*. 4ly, [l] The *Biſhops great revenues*. Thus the *Rights of the Clergie*, are preciſely inventoried, that ſo neither root nor branch may ſcape their fingers. *Epiſcopacy* we have already taken into conſideration; now let us take a ſurvey of the reſt.

[h] I. G. p. 4.
[i] Ib. p. 4. 5.
[k] Ib. p. 4.
[l] Ib.

15. But firſt let us obſerve the courſe, you propoſe, to ſtrip us of theſe *Rights*. Your method is ſubtil, and your expreſſions at firſt view ſeeme moderate: you put us in equall balance with the reſt of our fellow-ſubjects. Thus you argue; [m] *It is not unlawfull to abrogate* ANY *of the Laws of the Land: It is not therefore unlawfull to abrogate* ANY *of the Rights of the Clergie*. Thus far your argument ſeemes to proceed fairely. But how comes it to paſſe, that out of this *Any* of the Kingdome, you conclude againſt All *the Rights of the Clergie?* For what have

[m] I. G. p. 2.

the *Clergie* beſides their *Orders, priviledges, and immunities*; beſides their *Juriſdiction and revenues?* And yet all, all theſe you expoſe to the mercie of a *Parliament*. But, in good ſooth, do you think, that if it be lawfull for a *Parliament* to alter or aboliſh *any* particular *Laws of the Land*, that therefore it is lawfull to take away *all*, that the *Clergie* have, or ſhould have? Indeed this is ſomething anſwerable to the proceedings of theſe times. It would ſound very harſh, if it were thus reſolved; *It is lawfull for King and Parliament to abrogate any of the Laws of the Land: It is therefore lawfull for them to aboliſh all the Laws of the Land.* And yet this is your manner of arguing. As if a particular included the generall; as if *any* were equivalent to *all*. Which is apparently falſe; for univerſals are of a far larger extent then theſe *individua vaga*, uncertain notions. Though *all* comprehend *any*, yet *any* comprehends not *all*. For lawfull it is not to ſubvert the *fundamentall Laws*; therefore not *all*. This were to raze the foundation of the Kingdome. Were this juſtified of any particular Corporation, or body politick, beſides the *Clergie*, it would not be indured. Oh, how would the Citizens of *London* ſtorme, if we ſhould conclude thus; *It is lawfull to take away any of the Laws of the Land; and therefore it is lawfull to take away all the Rights of the City of London.* Yet let wiſe men judge, if this be not your argument right. But the *Clergie* is become the aſſe of the times; it muſt bear all, or ſink under the burden.

s I. G. p. 2.

16. But you ſay, that this is to be done n *by juſt power in a regular way*. Well and good. But can that be a *juſt power*, which deals unjuſtly? For o *Juſtice gives to every man his own*; according to Gods Command, p *Render to every man his due*. The Law of God we confeſſe to be the Supreme Law? *Whatever then is done againſt the Law of God, cannot be juſt.* Yea though it be done by a Law, no Act can juſtifie it; ſince a Law contrary to Gods Word, is no ſooner made, then void. I ſpeak to Chriſtians. But with you r *the Law ſhall be valid, though injurious.* To the *injuriouſneſſe* of this Law I ſhall ſubmit, becauſe a ſubject; but never acknowledge any validitie therein, becauſe a Chriſtian.

o *Iuſtus eſt animus qui ſcientia atque ratione, in vitâ ac moribus, ſua cuique diſtribuit.* Aug. de Trin. l. 8. c. 6.

p Rom. 13. 7.

q Ea, quæ contra legem Dei fiunt, jus ta eſſe non poſſunt. Aug cont mendac. c. 15.

r I. G p. 5.

17. By a *juſt power*, we ſee, this cannot be done; how then ſhall it be done in a *regular way? A regular way*, as you conceive

you

you have set down; wherein any Law of the Land may be abrogated. And that is, f *upon the motion, or with the consent of the Parliament.* How comes this to passe? Because the Parliament consists of the head, and the representative body of the whole Kingdome. And who are these? First t *the King*, who is the *head.* 2ly, the *Lords* spirituall and temporall: and 3ly, the *Commons.* But the *Parliament* is maimed of late. u 1. *The House of Commons represents the greivances of the Country.* 2. *The House of Lords advise his Majestie with their counsell, and propose for the common good, what they conceive meet.* 3. x It is in the Kings power to *assent* to these proposals, or to *dissassent*, to make them Statutes, or no Statutes. And that the Crown may receive no detriment, the King hath the Judges of the Land, his Councell, and other Officers of State present, to prevent such mischiefes. The *Lords* take care of their Lands and honors, that they be not damnified by any new Law. The *Knights and Burgesses* by the severall Counties and Corporations, are intrusted with such things, as concern their generall or particular good. And all are to take care for the good of the Church, the common mother of us al. In these things every man doth, or ought to provide, that all things be so done for the Common good, that (if it be possible) nothing be done to the prejudice of any.

f I. G. p. 2.

t Sir Ed. Coke in Litleton, l. 2. Sect. 164.

u Lex terræ, p. 15

x It is no Statute, if the King assent not to it: and he may dissassent. Lex terræ p. 7.

18. And reason for it: for as y *by one Spirit we are all baptised into one body* (spirituall, or mysticall, so by the goodnesse of God we all are under one King incorporated into one body politick. z But *the body is not one member, but many.* Indeed a *if it were all one member, where were the body?* And God hath so tempered this body together, that b every member hath need one of another; and c *those, which seem to be most feeble, are necessary.* All this was done by the great wisedome of God, d that *there might be no divisions*, or distractions, *in the body: but that the members should have the same care one for another.* Thus God hath knit us together with the bonds of amitie and necessity, that we might love one another sincerely. But *Charity* is so farre from doing wrong, that e *she seeketh not her own.* Which is thus to be understood, according to S. *Austins* expression, f *Quia communia propriis, non propria communibus anteponit; Because Charity*

y 1 Cor. 12. 13.

z Ib. v. 14.

a Ib. v. 19.

b Ib. v. 21.

c Ib. v. 22.

d Ib. v. 25.

e 1 Cor. 13. 5.

f Aug. in Reg. 3.

ritie prefers the Common good before her own private interest, and not her own private interest before the Common good. Where this love is, ther's the *Common-wealth.* But what ſtate is that Kingdom in, where they that are intruſted by the publick, *ſeeke their own,* and indeavour with might and maine, to make that theirs, which is none of theirs? Where under pretence of the Common good, they ingroſſe all into their own clutches? Is not this the crying ſinne, the grand Monopolie of theſe times?

19. The *regular way* to abrogate any of the *Rights of the Clergie,* or *Laity,* is at their own *motion,* or *conſent,* made and delivered by their repreſentatives in *Parliament,* or *Convocation. Henry* VIII. with *Cromwell,* and the reſt of his bleſſed Councel, after baniſhment of the *Popes* power, knew not which way to make a title to *Monaſteries* with their lands and goods, but onely by grant and ſurrender of the *Abbots.* With them therefore he labours by his great and active ſervant *Cromwell;* who prevailes with ſome by promiſes and large annuities; with other by violence and the ſword: as is manifeſted by Maſter *Spelman,* in the Preface to his ever honoured fathers book *De non temerandis Eccleſiis.* The Statute therefore 31. *Hen.* VIII. *C.* 13. tells us, that *Theſe Grants Surrenders, &c. were made* FREELY, VOLUNTARILY, AND WITHOUT COMPULSION, *to the King, his Heires and Succeſſors.* What ever the truth be, this was the onely legall pretence they could deviſe. And this is the onely courſe you can take, to make a plea in Law to the *Church-lands.* You are faine therefore at laſt to perſwade the *Clergies conſent, p.* 5. But of that in due place.

20. In the mean ſpace thus much by the way. Either we are ſubjects, or no ſubjects; If we are ſubjects, then ought we to have the liberties and priviledges of ſubjects; whereof this is one, that not ſo much as a Subſidie, or a little Ship-mony be taken from any one of us, without our aſſent yeelded either by our ſelves, or by ſuch as we put in truſt. And this preſent Parliament hath often proteſted before God and the world, that the *Rights and Liberties of Subjects they do and will defend with their lives and fortunes.* Why then are our *Rights and Liberties* ſo ſtrook at, and expoſed to contempt and ſale? Are we no ſubjects? Surely we were borne ſo. How then did we forfeit

g *our birth-right?* By taking Orders? Then is it better to be Mr. *Gerees* groom, then himſelf. And, it may be, this is the reaſon, why ſo many ſtep up into the Pulpit without Orders, leſt perchance they loſe their *birth-right*.

g The ancient Rights, Laws, and Liberties, are the *birthrights* of the Subiects of this Land. Declarat. Parl. July 12. P. 458.

21. It may be, you will ſay, that we were not born *Prieſts* or *Clergie-men*. You ſay right; neither is any man born a Lawyer, a Goldſmith, or a Draper. And yet when any of our brethren undertake theſe profeſſions, they enjoy the Rights and Liberties, they were born to, with ſome additions. And why not we? And yet we poore *Clergie-men* are the onely free-born Subjects, that are out-lawed, as it were, and caſt forth as dung upon the face of the earth. Surely it is better to be a Parliamentarians foot-boy, then h a *Steward of the myſteries of Chriſt*. And yet ſuch we are. Little do theſe men conſider, that all Subjects are born alike capable of theſe Rights, if ſo they be fit to take Orders. The wrong therefore is done alike to all free-born Subjects; perchance to Mr. *Speakers* grandchild. Since then i the *Kings Oath* (as you confeſſe) *is againſt acting or ſuffering a tyrannous invaſion on Laws and Rights*; it muſt neceſſarily follow, that as he may not *act*, ſo he may not *ſuffer* any ſuch *tyranny* to be uſed. Hitherto he hath withſtood theſe temptations: and God, I hope, will ever deliver him from them, and from the hands of his enemies. Even ſo Amen, Lord *Jeſu*.

h 1 Cor. 4 1.

i 1. *G.* p 2.

CHAP. XI.

Whether the Clergie *and* Laitie *be two diſtinct Bodies, or one Body Politick. That* Church-men *in all ages had ſome ſingular priviledges allowed them.*

1. THat with ſome colour you may perſwade the people, that it is lawfull not onely to clip the wings, but to pick the carkaſſe, and to grate the very bones of the *Clergie*, you tell them, that k *this Oath was ſo framed, when the Clergie of England was a diſtinct Society or Corporation from the people of England*. When was *this Oath*, I beſeech you, framed? You ſhould have done well to have pointed out the time; and not tell us, that

k 1. *G.* p. 3.

that l *this distinction is a branch of Popery.* But this is the fashion of such, as you are, when you intend to disgrace, alter, or destroy any thing, that concerns the Church, then presently 'tis *Popery.* Thus you cast a mist before the peoples eyes, that loath *Popery*; and yet know not, what *Popery* is.

l *This distinction of the Clergie from the Laity, that they should be a distinct Province of themselves, being a branch of Popery, s with it quite extinguisht.* I.G. p. 3.

2. But this *His Majesties Oath* is grounded upon the Word of God, who hath made promise to his Church, spread among the Gentiles, that m *Kings shall be her nursing fathers, and Queens her nursing mothers.* When therefore Christian Kings are inthroned, they take a most solemn *Oath*, not onely to administer true justice to the people, but that they will also maintain the *Rights* and priviledges of the Church and *Clergie, as by right they ought to do.* The reason is, because there are so many envious & mischievous eyes upon the Church: becausе n the *Edomites and Ishmaelites, the Moabites and Hagarens, have cast their heads together with one consent,* and conspired to *take her houses* and lands *into possession.* Gods Word prevails with few; the Kings sword therefore must stand between the Church, and such sacrilegious spirits.

m Isa. 49. 23.

n Psal. 83. 5. &c.

3. If they fail in this duty, then o *will the Lord enter into judgement with the Ancients of the people, and the Princes thereof.* What, for this cause? Yes, for this very cause: p *For ye have eaten up the vineyard; the spoil of the poore is in your houses.* Is this any thing to the Church? Yes marrie is it, the *Geneva Note* tels you so. q *Meaning* (saith the Note) *that the Rulers and Governors had* DESTROYED HIS CHURCH, *and not preserved it* ACCORDING TO THEIR DUTY. Those, who are guilty of this mischief, let them beware: His Majesties comfort is, that he hath withstood these impious designes *according to his duty.* For r *whosoever shall gather himself* IN THEE, AGAINST THEE, *shall fall.* (*Meaning the* DOMESTICALL ENEMIES OF THE CHURCH, *as are the* HYPOCRITES. Dear brother, take heed to your feet, and remember, that t *it is a dreadfull thing to* FALL *into the hands of the everliving God.* But view we your reason.

o Isa. 3. 14.

p Ib.

q Gen. note in loc.

r Isa. 54. 15.

s Gen. note in loc.

t Heb. 10. 31.

4. u *The Clergie and Laitie* (say you) *were distinct bodies; but this distinction is taken away, and Laity and Clergie are now one body Politick.* *One body Politick?* Are we so? Whence is it then, that the

u I.G. p. 3.

the *Biſhops* are thruſt out of the Houſe of *Peers*; and that none of us may vote, or ſit in the Houſe of *Commons?* Are we of the ſame *body*; and yet have no priviledges with the *body?* In at ſubjection, out at immunities? In at taxes, out at privileges? This is one of thoſe even Ordinances, which your bleſſed Covenant hath hatched. Of the ſame body we are, under the ſame power, ſubject to the ſame Laws, and yet not capable of the ſame privileges. Is this equalitie? *Scoggins* doal right, ſome all, and ſome never a whit.

5. Neither do we ſay, that we are a ſeverall or *diſtinct body*; but we are a ſeverall ſtate, or Corporation in the ſame body. One body, but ſeverall members in and of the ſame body. In *Eccleſiaſticall perſons* of this Kingdom are commonly three qualities or conditions: one is naturall, the other two are accidentall. 1. *Engliſhmen* and deniſons of this kingdom we are by birth: 2. *Univerſitie men* by matriculation and education: and 3. *Clergie men* by Ordination. By the firſt we have an intereſt in the privileges of the kingdom. By the ſecond we have an intereſt in the immunicles of the Univerſitie. By the third we have an intereſt in the *Rights* of the Church. The later privileges do not annihilate that right or claim, which we have by birth. Neither ceaſe we to be the Kings Subjects, becauſe *Clergie men*. In taking Orders we put not off Allegeance; we rather confirm and inlarge it. For [x] a ſhame it is for us to teach others, what we do not our ſelves. And our duty it is, to [y] *put every man in minde to be ſubject to principalities and powers, and to obey Magiſtrates.*

x Thou which teacheſt another, teacheſt thou not thy ſelf? Thou, that preacheſt, a man ſhould not ſteal, doeſt thou ſteal? Rom. 2. 21.

y Tit. 3. 1.

6. That there are ſeverall relations in us of the *Clergie*, and that we have ſeverall privileges by theſe relations, will appear evidently in S. *Paul*, who was [z] an *Iſraelite* by blood, [a] a *Roman* by freedom, but [b] an *Apoſtle* by Ordination. By his Orders he loſt none of his former privileges, but [c] acquired new, whereto he had no right as *Iſraelite*, or *Romane*. Yet, as occaſion ſerves, he ſtands upon his privileges as a *Romane*; and both [d] the Centurion and the Commander in chief were afraid to offend againſt that law, or privilege. But we with blushleſſe foreheads trample upon Gods Laws, and the privileges of his neareſt ſervants. But though S. *Paul* ſtand upon his

z Rom. 11. 1.
a Act. 22. 25.
b Gal. 1. 1.
c 1 Cor. 4. 1. and 9. 4. 5. 14.
d Act. 22. 26. 29.

his privileges, and c *magnifie his office*, yet f he acknowledgeth himself to be *Cesars* subject, and that *at his tribunall* HE OUGHT TO BE JUDGED.

Rom. 11. 13. *Act.* 25. 10.

7. Our Saviour himself had severall Relations: g he was the *Son of David*, and the *Lord of David*; the *Son of David*, according to his humanitie; but the *Lord of David*, in his Deitie. As *Lord of all*, he receives tithes and sacrifices; h as a *Subject* he payes tribute to *Cesar*: and when an arraigned person, i he acknowledgeth Judge *Pilate* to have power against him. Besides this, he is a *King*, a *Priest*, and a *Prophet*: a *King*, to command; a *Priest*, to offer sacrifice; and a *Prophet*, to foretell, what he sees meet. Nay there is hardly a Citizen of *London*, but hath a treble relation to severall privileges: 1. to the generall Rights as he is a free denison of this Nation; 2. to others, as he is Citizen of *London*; and to a third sort, as he is free of this or that Company. And shall the meanest Freeman enjoy his severall *Rights*, when the Ministers and Stewards of God are cut out of all. Are we dealt with as the Dispensers of Gods high and saving mysteries? Nay, are we so well dealt with as the lowest members of this Nation? Is not this the way to lead in *Jeroboams Priests*; to fill the Pulpits with the scum of the people, and to bring the Priesthood into utter contempt? O all ye, that passe by the way, behold, and consider, if ever the like shame befell any Nationall Church, that is threatened to ours, at this day. But k thus it comes to passe, when there is *no King in* the *Israel* of God.

g S. Matt. 22, 42. &c.

S. Mat. 17 27.

S. Ioh. 19, 10, 11

k Ind. 21, 25.

8. If *this distinction between Clergie and Laity be a branch of Popery*, how comes it to passe, that those great Reformers, and zealous enemies to *Popery*, suffered the *Clergie* to continue a *distinct Province of themselves*; and that they did not with *Popery* quite extinguish this distinction? Why doth Q. *Elizabeth* call them l *a great State of this Kingdome*, if they be no *State* at all? Why did King *Edward* VI. that vertuous Lady Queene *Elizabeth*, and wise King *Iames*, summon the *Bishops* to convene in *Convocation* as a *distinct society*; and to vote in the House of *Peers* as *Lords spirituall*; plainly by title distinguished from the *Lords temporall*? m *Undoubtedly* (say you) *all priviledges of the Clergie, that are* (or were) *contrariant to the Laws of the Land*,

l 8 *Eliz.* 1.

m I. G. p. 3.

were

were aboliſht in the reign of Henry the eight. They were ſo. It follows therefore *undoubtedly*, that theſe *priviledges*, which were continued through ſo many Princes raigns that were enemies to *Popery*, were neither *Popiſh* nor *contrariant to the Laws of the Land.* And yet ſome of thoſe times were not over favourable to the *Clergie.*

9. That we are a *diſtinct ſociety, or Corporation* from the people is evident; by the *Coronation Oath*, by *Magna Charta*, by ſeverall *Acts of Parliament*, and by Scripture it ſelf. The *Coronation Oath* obſerves the diſtinction of *Clergie* and *People*; and aſſures us, that they ſhall be diſtinctly preſerved. *Magna Charta* does the like: and the *Acts of Parliament* diſtinguiſh the Kings ſubjects into *Clergie* and *Laity*, allotting to each their ſeverall *priviledges*; allowing the *people* to take many courſes, which the *Clergie* may not. This diſtinction is approved by Scripture, where n *the Lord takes the Levites from among the children of Iſrael.* S. *Paul* aſſures us, that o *Every High Preiſt is* TAKEN FROM AMONG MEN. And the *Scholiaſt* tels us that λαμβανόμενος is there taken for ἀφορίζόμενος, as if the *Apoſtle* had ſaid, *he is ſet apart from men*, from the Common people. This *exemption* or *diſtinction*, which you are pleaſed to call q *a branch of Popery*, or r *of Antichriſtian uſurpation*, is here juſtified by Gods owne word. And *Joſephus* that was well skilled in *Moſes* writings, and *Judaicall Antiquities*, teſtifies, that ſ *Moſes did ſeperate the tribe of Levi from the communitie of the people.* He might have ſaid, that God himſelf did it; for the text ſaith plainly, that t THE LORD SEPERATED THE TRIBE OF LEVI to *beare the Arke of the Covenant, to ſtand before the Lord, to adminiſter unto him, and to bleſſe in his name.* From that time forward u they were not numbred amongſt the reſt of the people; x the Lords they were: and y the reſt of the tribes were *ſtrangers* to their office. z The very light of nature taught the heathen to diſtinguiſh between *Preiſt* and *people*; and to allow them diſtinct priviledges. And the light of Scripture taught Chriſtians to do the like: hence is it, that not onely in the *Canons of the Church*, but alſo in the *Imperiall conſtitutions* this *diſtinction between the Clergie and Laity* is moſt frequent and familiar. Otherwiſe what ſtrange confuſion muſt neceſſarily have over-

n Numb. 3. 12. & 18. 6.
o Heb. 5. 1.
p Oecumen. in loc.
q I. G. p. 3.
r Ib. p. 8.
ſ Moſes tribum Levi, à communione populi ſegregavit. Joſeph. Antiq. l. 3. c. 13.
t Deut. 10. 8. Num. 16. 9.
u Num. 1. 47. 49. Num 2. 33. &c.
x Num. 3. 12.
y Num. 1. 51.
z Gen. 47. 20. 22.

ſpread the face of the Church, if this diſtinction had not been religiouſly preſerved? What diverſe would not ſee, theſe times have enforced us to feele.

10. And yet for all this, we ſay not, that a we are *exempt from ſecular power; neither ſet we up two Supremacies.* This will prove to be your *Popiſh* or *Anarchicall* doctrine; yours, I ſay, that would ſo fain caſt this aſperſion upon us. For do not you tell us, that b *ther's a Supremacie in the King, and a Supremacie in the Parliament?* Are not here *two Supremacies ſet up* by you; that ſo you may make the *Parliament* Law-leſſe, and ſubject to no power? We deteſt and have abiured the *Popes Supremacie*; and not onely that, but all other *Supremacies*, beſides the *Kings*, within theſe his Majeſties Dominions and Countries. For we have ſworne, that *King Charles* is THE ONELY SUPREME GOVERNOR *of all his Realms, over all perſons in all cauſes.* But you induce the *peoples Supremacie.* Wheras we know no *Coordination* but a *Subordination* of all perſons ſeverally and jointly to his Majeſtie, and to his Majeſtie onely, within all his Dominions.

11. We proteſt before God and the world, ſincerely and from the heart, that the King is *major ſingulis, & major univerſis*, greater then any, and greater then all the Members of his Dominions, whether in, or out of Parliament: and that he is c *homo a Deo ſecundus, & ſolo Deo minor, ſecond to God, and leſſe then God onely.* To this our beſt Lawyers bear Teſtimonie, even that d *the King is Superior to all, and Inferior to none.* And our e *Acts of Parliament* ſay the ſame. Thus much in ſubſtance we have ſworne; and we unfainedly beleeve, that all the world cannot abſolve us of this *Oath.* As therefore we hitherto have done, ſo ſhall we ſtill, by Gods grace, bear faith, and true *Allegiance* to his Majeſtie, his heirs and ſucceſſors, though it be to the hazard of our liberty, of our eſtates, and lives. Yea we acknowledge our ſelves obliged to the Laws of the Land in all thoſe things, which concern the right and peaceable adminiſtration of the State. To the King we pay *firſt fruits* and *tenths*: which *Lay Impropriators* are ſeldome charged with. To the King we grant and pay *ſubſidies* after an higher rate, then

a Vndoubtedly that priviledge was aboliſht, that any Society ſhould be exempt from ſecular power: for that were to ſet up *two Supremacies*. G p. 3.
b Ib. p. 9.

c Tertul. ad Scap. c. 2.

d Bracton. temps H. 3 l. 4. c. 24. Sect. 5. Sir *Edw. Coke* in Littleton l. 2. Sect. 140. & 3. *Ed.* 3. 19.

then any of the *Laity*, by many degrees. Where then are the *two Supremacies*, which we erect?

12. 'Tis true indeed, that f *For deciding of controversies, and for distribution of Justice within this Realm, there be* TWO DISTINCT JURISDICTIONS, *the one* ECCLESIASTICALL, *limited to certain spirituall and particular cases. The Court, wherin these causes are handled, is called Forum Ecclesiasticum*, the Ecclesiasticall Court. *The other is* SECULAR *and generall; for that it is guided by the Common and generall Law of the Realme.* Now this is a maxime, affirmed by the Master of the Law, that g *The Law doth appoint every thing to be done by those, unto whose office it properly appertaineth.* But h unto the *Ecclesiasticall Court diverse causes are committed jure Apostolico*, by the *Apostolicall Law*. Such are those, that are commended by S. *Paul* to *Timothy the Bishop of the Ephesians*, and to *Titus the Bishop of the Cretians* First, to i *receive an accusation against a Presbyter*, and the manner how. 2ly, to k *rebuke him*, if occasion require. 3ly. l *If any Presbyter preach* unsound doctrine, the *Bishop* is to *withdraw himself from him*, m that is to excommunicate him. 4ly, n In the same manner he is to use *blasphemers, disobedient and unholy persons, false accusers, trucebreakers, Traitors, and the like.* 5ly, o The Bishop is to *reject*, p that is, to *excommunicate*, all *Hereticks after the first and second admonition.*

f Sir Ed. Coke in Litleton, 12. Sect. 136.

g Ib.

h Cod. Afric. can. 39.

i 1 Tim. 5. 19.

k Ib. v. 20. Tit. 1. 13.

l 1 Tim. 6. 3, 4, 5.

m Beza & Piscat. in loc.

n 2 Tim. 3. 2. &c.

o Tit. 3. 10

p Piscat. in loc.

13. q These things the *Ordinary* (or Bishop) ought to do *De droit, of Right* (as Sir *Edward Coke* speaks) *that is to say, he ought to do it by the Ecclesiasticall Law* IN THE RIGHT OF HIS OFFICE. These censures belong not to *secular Courts*; they are derived from our Saviours Preistly power, and may not be denounced by any, that is not a *Preist* at least. And, r *a Maxime it is of the Common Law*, (saith that famous Lawyer) *that where the right is spirituall, and the remedy therefore* ONELY BY THE ECCLESIASTICALL LAW, *the censures thereof do appertain to the Ecclesiasticall Court.* But s A BISHOP *is regularly* THE KINGS IMMEDIATE OFFICER *to the Kings Court of Justice in causes Ecclesiasticall.* Therefore not a company of *Presbyters*: no rule for that. And this is it, that wrings and vexes you so sorely. For your aime is t to share the *Bishops Lands and Jurisdiction* among you of the *Presbyteriall faction.*

q Sir Ed. Coke in Litleton, 12. Sect. 136.

r Ib.

s Ib. Sect. 101.

t And why may not the great revenues of the Bishops be divided, to maintain a preaching Ministery and their Jurisdiction also, for the better over sight and censure of manners? I. G. p. 4.

This your vaſt covetouſneſſe & ambition have of late coſt the Church full deere, and have been a maine cauſe of theſe diviſions and combuſtions. By theſe means you have made a forcible entrie upon *Nabaoths Vineyard*. It were well *Ahab* and *Jezabel* would beware in time. However, wiſe men conſider, that every one, that ſteps up to the Bar is not fit to be a *Judge*; nor every one, that layes about him in the Pulpit, meet to be a *Biſhop*.

14. Beſides, in thoſe Epiſtles this power is committed to ſingle Governors, to *Timothy* alone, and to *Titus* alone. But *Timothy* and *Titus* were *Biſhops* ſtrictly and properly ſo called; that is, they were of an higher order then *Presbyters*, even of the ſame with the *Apoſtles*. Hence is that of S. *Cyprian*, u *Ecclesia ſuper* EPISCOPOS *conſtituitur, & omnis actus Eccleſiæ* PER EOSDEM PRÆPOSITOS *gubernatur*. *The Church is ſettled upon* BISHOPS, *and every Act of the Church is ruled* BY THE SAME GOVERNORS. By *Biſhops*, not by *Presbyters*. Now the word of God is, *norma ſui, & obliqui*, the rule, whereby we must be regulated: from which if we depart, we fall foule, or runne awry. Since then the *Church is ſettled upon Biſhops*, it is not ſafe for any King or State to diſplace them, leſt they unſettle themſelves and their poſterity. They that have endeavoured to ſet the Church upon Presbyters, x *have incurred ſuch dangers*, as they wot not of. For if we beleive S. *Cyprian*, [1] they *offend God*, [2] they are *unmindfull of the Goſpel*; [3] they affront the *perpetuall practiſe of the* Church; [4] they neglect the *judgment to come*; and [5] *endanger the ſouls of their brethren*, whom Chriſt dyed for. Neither is this the opinion of S. *Cyprian* onely; *Ignatius* ſpeaks as much; y Ὅσοι χριστοῦ εἰσὶν, καὶ τοῦ πατρὸς τοῦ Ἐπισκόπου εἰσὶ, *As many as are Chriſts, cleave faſt to the Biſhop. But thoſe that forſake him, and hold communion* μετὰ τῶν κατακρίτων, *with the accurſed, ſhall be cut off with them*. This is *Ignatius* genuine reſolution, atteſted by *Vedelius* from *Geneva*: and if true; a moſt dreadfull ſentence for thoſe, that endeavour the extirpation of *Epiſcopacy*.

15. As for the *Priviledges of the Clergie*, which you are ſo earneſt to ruinate, I ſhall manifeſt, that they have footing in the *Law of Nature*, in the *Law of Moſes*, and in the *Goſpel*. In the

Law

u Cyp ep. 27. n. 1

x *Quod non periculum* metuere debemus, 1. de *offenſâ Domini*, quando aliqui de Presbyteris a *rec Evangelii*, 3 nec loci ſui *memores*, 4 ſed neque futurum Domini judicium, neque nunc ſibi præpoſitum Epiſcopum cogitantes, quod nusquam omnino ſub antecеſſoribus factum eſt, cum contemptu & contumeliâ præpoſiti totum ſibi vendicent? atque urinam non 5 *proſtratâ fratrum* noſtrorum *ſalute* ſibi omnia vindicarent Cypr ep. 10.

y Ignat ad Philadelph p 91.

Law of Nature. z *Abraham* gave *tithes* to the Preist of the most high God, a The Preists in *Egypt* had *lands* belonging to them, as also *portions* of the Kings free bountie. And the same *Law of Nature* taught *Pharoah* and *Joseph* b not to alienate either the *Preists lands*, or other their maintenance in time of extremest famine. By the light of Nature c *Artaxerxes* King of *Persia* decreed, that it should not be lawfull for any man to lay *toll*, *tribute*, or *custome* upon any Preist, Levite, Singer, Porter, or other Minister of the house of God. And d King *Alexander* sonne of *Antiochus Epiphanes* made *Jonathan* the High Preist a *Duke*, and *Governor of a Province.* e He commanded him also to be *clothed in purple*; and f caused him to sit by, or with, his own Royall Person. g He sent also to the same High Preist a *Buckle* or *collar of Gold*, to weare; even such as were in use with the Princes of the blood. And h by Proclamation he commanded that no man should molest the High Preist, or prefer complaint against him. And can it be denied, that i *Melchisedec*, *Preist of the most high God*, was *King of Salem*, and made so by God himself?

z Gen. 14. 20.
a Gen. 47. 22.
b Ib. & v. 26.
c Ezra 7. 24.
d 1 Mac. 10. 65.
e Ib. v. 62.
f Ib. v. 63.
g Ib. v. 89.
h Ib. v. 63.
i Heb. 7. 1.

16. In the *Law*, k *the Lord made Aaron more honourable, and gave him an heritage. He divided unto him the first fruits of the increase; and to him especially he appointed bread in abundance.* l For him he ordained *glorious and beautifull garments.* m He *beautified Aaron with comely ornaments, and clothed him with a robe of glory.* n Upon his head he set a *miter*, and o a *crown of pure gold* upon the miter, wherein was ingraved *Holinesse*; And this, if I mistake not, is p that κίδαρος, which *Philo* tels us, was set upon the Preists head, and is the cheife ornament of the *Eastern* Kings. The reason, he gives for it, is this; because q *while the Preist is discharging his dutie he is more eminent then any person whatsoever, even then Kings.* But I rather conceive, it was because at that time he represented, or prefigured the Royall Preisthood of our Saviour.

k Ecclus 45. 20.
l Exod. 28. 2.
m Ecclus. 45. 7.
n Ex. 28. 36. 37.
o Ecclus. 45. 12.
p Phi'o Jud. de vitâ Mosis.
q Ib.

17. For the *Gospel*, we have prophecies, in what state and honor Preists ought to be had among Christians. Witnesse that Evangelicall Prophet, whose words are these, r *Ye shall be named* THE PREISTS OF THE LORD (as they are at this day): *Men shall call you the Ministers of our God. Ye shall*

r Es. 61. 6.
s *Soli Episcopi & Presbyteri* proprie jam vocantur in Ecclesiâ *Sacerdotes.* Aug. de civit. Dei. l. 10. c. 10.

eat

eat the riches of the Gentiles, and ye ſhall be EXALTED WITH THEIR GLORY. This is one; the other ſhall be from that royall Pſalmiſt; [c] *In ſtead of thy Fathers thou ſhalt have children, whom thou mayeſt make* PRINCES *in all Lands.* Do not you go about to make the Word of God a lye, while you endeavour to diſ-inherit the Clergie of theſe privileges and honors? But [u] *God ſhall be true, be ſhall be juſtified in his ſayings; and every man ſhall be a liar.* Behold, how theſe prophecies were fulfilled under the Goſpel. When our Saviour ſent forth his *Apoſtles* and *Diſciples* to preach the Goſpel, and to diſpenſe his heavenly myſteries, he daines them with this honour, to rank them for uſage with himſelf; [x] *He that deſpiſeth you, deſpiſeth me; and he that receiveth you, receiveth me.* To intimate to all Chriſtians, that they ought to uſe his meſſengers, as they would *Chriſt* in his own perſon. For whether well, or ill, he will take it as done to himſelf. Hence is it, that [y] the *Galathians received S. Paul as an Angel of God, even* AS CHRIST JESUS. Yea [z] they were *ready to pull out their own eyes,* to do him a pleaſure. And [a] when this *Apoſtle* came to *Melita,* he, and thoſe that attended him, were courteouſly entertained, *honoured* they were *with many honors,* and enriched with gifts, by the Prince of that Iſland, and his people.

c Pſal. 45.17.

u Rom. 3.4.

x S.Mat. 10.40. S.Luk.10.16.

y Gal. 4.14.

z Ib. v. 15.

a Act.28.2.7.10.

18. Some, it may be, may conceive, that theſe were but perſonall honors; and that they belong to them onely, whom *Chriſt* immediately ordained. But the Scripture will teach us a better leſſon. For doth not our Saviour ſay, [b] *He that receiveth whomſoever I ſend, receiveth me?* Now we know, that our Saviour ſendeth not onely by himſelf, but by thoſe alſo, to whom he hath given power to ſend, and ordain. Thus by S. *Paul* he ſent *Timothy* and *Titus:* and we find [c] S. *Barnabas* with S. *Paul ordaining Presbyters* in all Churches, where they came. This therefore is a generall rule; [d] *thoſe Governors, who labour in the Word and Doctrine* (whether they be ordained by *Chriſt,* or his Apoſtles, or any other, to whom this authoritie is duely given) *are* WORTHY OF DOUBLE HONOR; that is (ſaith *Primaſius*) [e] *both in love, and place.* Thus [f] *Titus* by the *Corinthians* was *received with fear and trembling, and memorable obedience.* [g] *They honoured him* (as *Theodoret* ſpeaks) *as their Fa-*

b S.Iok. 13.20.

c Act.14.20.

d 1 Tim. 5.17.

e Primaſ. in 1 Th. 5. 13.

f 2 Cor 7.15.

g Theod. in loc.

ther

ther, and reverenced him as their ſpirituall Governer. Theſe honors are due, not ſo much in reſpect of perſonall worth, as in regard of the office, which they bear. This appears by S. *Paul*; who willeth the *Philippians* not onely to *receive Epaphroditus*, their *Apoſtle*, or *Biſhop*, *with all gladneſſe*; but, τὰς τοιούτους ἐντίμους ἔχετε, he chargeth them to *hold* SUCH, AS HE WAS, *in honour and reputation.* All muſt be thus honoured; but thoſe moſt, that are moſt worthy. h Philip. 2. 29.

19. *Conſtantine*, the firſt Emperor that ever was chriſten'd, had learned this leſſon; i he therefore did reverence the *Biſhops, ad imaginem quandam divinæ præſentiæ, as if he had ſome reſemblance of God before his eyes.* k He kiſſed thoſe *Biſhops* ſkars, that had ſuffered for *Chriſts* moſt holy Name. l He entertained divers of them at his own table: and m at their departure he beſtowed upon them many & goodly gifts. n Upon *Biſhops* he conferr'd very many *privileges*, and the *higheſt Honors* he had to beſtowe. He ordained, that o thoſe *Canons*, which were agreed upon by the *Biſhops*, and had received his *Royall approbation*, ſhould be of more *ſacred authority*, then any Law or ſentence, that ſhould paſſe from his *higheſt Judges*: and that none of his Princes ſhould dare to infringe them. To conclude, p he commanded the Governors of his ſeverall Provinces to *give reverence and honour to Biſhops*; threatning no leſſe then death to ſuch as ſhould revile or abuſe them. What reverence and eſteem *Biſhops* were of with his ſeverall ſons, though differing in Religion, the Church Hiſtory manifeſts: for theſe and all other *privileges* were inviolably preſerved to the Church, till that *Apoſtata Julian* ware the Crown. But thoſe pious and orthodox Emperors, that ſucceeded him, raiſed up the Church, and made good her former privileges.

i Ruffin h.ſ.l.9. c.10.
k Theod. hiſt.l.1. c.11.
l Euſeb. de vitâ Conſtant. Mag. l.1. c.33.
m Gelaſ. Cyzic. l.2. c.39.
n Ruffin. hiſt.l.9. c.10.
o Euſeb de vitâ Conſtant. M.l.4. c.27.
p Theodoret. hiſt. l.1. c.2.

20. The reaſon why good Princes were ſo carefull of the *Church* and *Churchmen*, was q becauſe they were confident, with *Great Conſtantine*, that God gave a bleſſing to their affairs, for the *Biſhops* ſakes. And thoſe two wiſe Emperors *Leo* and *Conſtantine* profeſſe with *Juſtinian*, that r the *peace and felicitie of their people, as well for body as ſoul, depend upon the harmonious conſent of the Imperiall and Epiſcopall functions.* Mark that. In Scripture ſ the Prophets and ſervants of God are called the

q Euſeb. de vitâ Conſtant. M.l.1. c.35.
r Ius Græco-Rom tom. 2 lib. Leonis & Conſtant Tit.3. n 8.
ſ 2 Reg.2.12. & c.13.14.

the *charet of Israel, and the horsemen thereof*; becauſe r *by their prayers they did more proſper their Countrey, then by force of arms.* Yea u *by them God bleſſed his people.* Theſe were the *Church-priviledges*; and theſe the opinions the moſt Chriſtian Princes had of *Churchmen.* And you cannot ſay, that any of theſe *Emperors* had any dependance upon the *Pope*, or any compliance with him. But we are fallen into thoſe times, wherein it is accounted loſſe, to beſtowe coſt upon *Chriſt*; pietie, to rifle the *Church*; and good ſervice to God, to murder his *Apoſtles* and *Prieſts.* Indeed, what ever is good and commendable, is now with the round brotherhood cried out upon as *Popiſh.* By this time, I hope, it appears, that x *theſe immunities*, which belong to the Church, *ariſe not from the erreur of the times*, as you ſuppoſe, but *from the tenure of Scripture.* That's the tenure, we hold by.

r Gen note in 2 Reg 13.14.

u Ib.

x Immunities ariſing from the error of the times, not the tenure of Scripture. I. G. p 4.

CHAP. XII.

whether to ſit and vote in Parliament *be incongruous to the calling of* Biſhops.

1. SOmething an hard theme to treat upon, and unpleaſing to the times. And yet I muſt ſay ſomething to it, leſt I ſeem to deſert the cauſe, to blame our Predeceſſors of indiſcretion, and to acknowledge that weakneſſe in our *Biſhops*, which the wiſeſt of this Kingdom know to be far from them. What? Not contented to ſtrip us of our *rights*, *lands*, and *priviledges*, but you muſt twit us with the loſſe of y the *Biſhops Votes*, as if they were neither fit to *ſit* or *vote*, *in the Houſe of Peers?* That this hath been done cannot be denied; but how juſtly I ſhall not queſtion for the honour I bear to my Soveraign. Yet thus much is evident to every ſingle eye, that we have had many even and conſcionable Parliaments, wherein *Biſhops* have *voted*: what kinde of Parliament we have had without them, ſome will make bold to ſpeak hereafter. But a word in private. Were they not thruſt out, leſt the *King* ſhould have too many faithfull Counſellors in the Houſe? Were they not removed, to make way for theſe civill broils?

y One of the priviledges of the Clergie was for the *Biſhops to ſit and vote in the Houſe of Peers*, yet that is abolisht as incongruous to their calling I. G. p. 4.

The

The Incendiaries knew full well, that thoſe meſſengers and makers of peace would never have paſſed a Vote for war.

2. But what were the motives, that wrought upon His Majeſtie, to yeeld to have the Biſhops turned out of that Houſe, [z] wherein they had *voted* from the firſt day, that ever *Parliament ſate* in *England?* And before ever there was an Houſe of Commons, they had their Votes in the great Councels of the Kingdom; as Sir *Robert Cotton* manifeſts in his Treatiſe, that *the Soveraigns perſon is required in the great Councels of the State.* p. 3. &c. If at any time they have been forced out of theſe *Parliaments*, or great Aſſemblies, it hath been with ſo ill ſucceſſe, that with all poſſible ſpeed they have been recalled. Will you hear the motives? Surely they were the very ſame, that drove the King from *Weſtminſter*, and *London*. I remember, the Clothiers were perſwaded in a mutinous manner to cry down the *Biſhops votes*, becauſe they had no market for their clothes. And now they cry out, that they want wooll to make clothes. Is not this the bleſſing they have gained by that hideous and ſenſeleſſe out-cry?

[z] Lex terræ p. 14

3. But why was *this privilege aboliſht, as incongruous to their calling?* Are *Biſhops* unfit to adviſe, or aſſent in framing Laws? Surely they are rationall men, and learned men. By reaſon of their age, and offices, which they have heretofore paſſed thorow, they muſt needs be men of much experience. And it is to be preſumed ſo many, for ſo many, as conſcionable, and as much for the *common good*, as any. And ſuch men are moſt fit to prepare, and commend Laws for and to Kings. For I have learned, that [a] *this is a ſtrong argument in Law*, [b] *Nihil, quod eſt contra rationem, eſt licitum*, Nothing contrary to reaſon, is lawfull. For REASON IS THE LIFE OF THE LAW; *nay the* COMMON LAW *it ſelf* IS NOTHING ELSE BUT REASON. *Which is to be underſtood of an artificiall perfection of reaſon, gotten by* [1] *long ſtudie,* [2] *obſervation, and* [3] *experience, and not every mans naturall reaſon: for, Nemo naſcitur artifex*, no man is born Maſter of his profeſſion. Againſt reaſon therefore it is, that men of *long ſtudy*, much *obſervation*, and *experience*, ſhould be excluded from *voting* in matters of ſuch high concernment. And ſome men, that have ſcarce any of theſe,

[a] Sir Ed. Coke in Litleton, l. 2. Sect. 138.

[b] Omne factum ſi rectè factum non eſt, peccatum eſt. Nec rectè factum eſſe ullo modo poteſt, quod non à rectâ ratione proficiſcitur. Aug. de util. credendi. c. 12.

should be admitted, as if they were born wise, or gained *State-experience* by hawking, or hunting. Tis true, that [c] Senators sons might be admitted to the government of the Common-wealth, before they were five and twenty yeers of age: but [d] *before they were twenty and five yeers compleat, they could give no suffrage among the rest of the Senators*, though Senators. This was the wisdom of that thriving Roman State.

c Guid. Pancirol. de Magistrat. Municipal. c. 2.
d Ib. c. 3.

4. Now give me leave to enquire more strictly, what it is, that is *incongruous to the calling of Bishops*. Is it to *sit in the House of Peers*? or to *Vote in the House of Peers*? or both? That the *Lords Spirituall* have *sate and voted with the Lords Temporall*, cannot be denied. The *Acts of Parliament* speak it, from the first Session to this last. Let it not be thought *incongruous* for *Bishops* to *sit* with the best of Subjects. [e] They *sate* at *Constantines* own table. Nor to be *numbred* among *Peers*. [f] The prophecie saith, that *they may be made Princes*. Nor to *vote* in matters of State: since usually they are men of great Learning, of much experience, observation, and conscience. Such as fear God, honour their Soveraign, and love their Countrey with-out by ends. Such they are, and such they ought to be. And though sometimes there be a *Judas* among the *twelve*, yet is the Calling never the worse.

e Euseb. de vitâ Constant. M. l. 1. c. 33.
f Psal. 45. 17.

5. Had it been *incongruous to their Calling*, *Melchisedech* that was both *King* and *Priest* had never been a type of our Saviour. The Law of God and Nature abhor that, which is *incongruous*. Had it been *incongruous to the Priesthood*, God had never made *Moses* and *Eli* Governors of his people, in temporall affairs; for [g] they were both Priests. [h] *Jethro, Priest of Midian*, was of excellent use to *Moses* in State affairs. And it may not be forgotten, that [i] King *Jehoash* thrived, as long as he hearkned to *Jehoiada the High Priest*. But when he sleighted the Priests counsell, he suddenly fell into the extremest miseries. 2 *Chron.* 24. 21. 23. &c. Our Historie will likewise tell you, how K. *Henry* VII. prosper'd by applying himself to the advice of his *Bishops*, *Morton*, *Denny*, *Fox*, and others. And how his Son K. *Henry* VIII. never thrived, after he turned his ears from the counsell of his *Prelates*. And yet he excluded them not from *Parliaments*; he could not be drawn to that. Sure, had

g Psal. 99 6.
h Exod. 18. 14. 27. &c.
i 2. Reg. 12. 2.

had this been *incongruous to their calling*, your fellow-*Miniſters of London* would never have granted, that *two diſtinct offices may be formally in one and the ſame perſon; as Melchizedech was formally a King and Prieſt.* I. D. p. 212.

6. A wonder it is, that you & your faction ſhould ſpie this *incongruitie*, which was never diſcerned by the wiſeſt of our fore-fathers. The *Writ*, which ſummons the *Parliament*, runs thus, [k]. *Rex habiturus colloquium & tractatum cum Prælatis, Magnatibus, & Proceribus.* The *King intending a Conference and Treatie with his Prelates, and Great men, and Peers.* This *Writ*, as ſome report, was framed under K. *Henry* III. and is continued in the ſame terms to this day. And yet no *incongruitie* diſcerned in it, till ye came in with your new Lights, which iſſue from your light brains. But now the *Biſhops* muſt no more *vote*, no, nor *ſit in Parliament*; becauſe you, forſooth, conceive it to be *incongruous to their calling.* But will any wiſe man take your word for a Law, or imagine it to be more authentick, then the reſolutions of all our fore-fathers? You have no way to finger the *Biſhops lands and Juriſdiction*, but by turning them out of the Houſe. This, this was it, that moved you to charge their preſence in *Parliament* with *incongruity.*

[k] Juſtice *Jenkins* Inconven. p. 4.

7. The Lawyers tell us, that [l] *the Writ of Summons is the baſis and foundation of the Parliament.* And [m] *if the foundation be deſtroyed*, what becomes of the *Parliament?* Truly *it falls*; ſaith *Juſtice Jenkins*, according to that [n] *maxime both in Law and Reaſon, Sublato fundamento opus cadit, the Foundation being taken away, the work falls.* If then it ſhall be proved, that you endeavour to ruine the *Foundation, the Writ of Summons*, it muſt neceſſarily follow, that you endeavour the ruine of the *Parliament.* By the *Writ* the King is to have treatie with his *Prelates.* But you ſuffer him to have no treaty with his *Prelates*, Where then is the *Writ?* Nay, the *Biſhops* are quite voted down root and branch. How then ſhall he treat in *Parliament* with thoſe, that have no being? The Lord commands [o] the *Ark* to be made of *Shittim-wood*: If there had been no *Shittim wood*, the *Ark* could not have been made. If there be no *Prelates*, where's the treatie? Where the *Parliament?* It will not ſerve to ſlip in the *Presbyters*; they are not the men, they are

[l] Ib.
[m] Ib.
[n] Ib. p. 5.
[o] Exod. 25. 10.

not called for. p These are *Episcopall privileges*: q all other *Ecclesiasticall persons* are to be contented with those liberties and free customes, *quas priùs habuerunt*, which they enjoyed heretofore.

p Sir *Ed. Coke* Instit. part 4. c 1. Sect. Of what persons.
q Mag. Charta. c. 38.

8. The *Writ* ſummoned this Parliament, for the *defence of the Church of England*. Herein you have alſo made the *Writ* void; for you have deſtroyed the *Church of England*. And in deſtroying the *Church*, you have deſtroyed the *Writ*. The Commiſſion is for defence; they then that deſtroy, what they are bound to *defend*, overthrow their Commiſſion. r Our Saviour ſent his Apoſtles to preach *peace*; ſ to *bleſſe*, and *not to curſe*; t to *pleaſe God*, and not man. If then we preach *warre*, and not *peace*; if we *curſe*, when we ought to *bleſſe*, if we *pleaſe men*, and not God, we forfeit our Commiſſion. S. *Paul* is plain; u *If we pleaſe men, we are none of Chriſts ſervants*; much leſſe Apoſtles. For x *his ſervants we are, whom we obey*, whom we pleaſe. If then we prove y faithleſſe and unprofitable ſervants, we ſhall be turned out of our Maſters houſe, even out of doores, and caſt into outer darkneſſe. Upon theſe grounds I argue thus. He that overthrows the *prime intention of the Writ*, overthrows the *Writ*. But you have overthrown the *prime intention of the Writ*. Therefore you have overthrown the *Writ*. That you have overthrown the *prime intention of the Writ*, I prove thus. The prime intention of the Writ is for the *State, and defence of the Church of England*. But you have z overthrown the *State and defence of the Church of England*. You have therefore overthrown the *prime intention of the Writ*. The ſecond Propoſition cannot be denied, it is ſo palpably true. The former is Sir *Edw: Cokes*; his words are theſe. a *The State and defence of the Church of England is firſt in intention of the Writ*. And b *if the Writ be made void, all the proceſſe is void*; and ſo farewell Parliament.

r S. Mat. 10. 12.
ſ Rom. 12. 14.
t Gal 1. 10.
u Ib.
x Rom. 6. 16.
y S. Mat. 25. 30.
z Defenſionem Eccleſiæ Angliæ &c. that is gone. Juſt *Ienkins* Inconven. p. 5.
a Sir *Ed Coke* Inſtit. part 4. c. 1. Sect. The matters.
b Iuſtice *Ienkins* Inconvenien p. 5.

9. Beſides, I have learned, that c *the aſſembly of Parliament is for three purpoſes. Firſt, for weighty affairs, that concern the King*. Secondly, *For the defence of his Kingdome*. And thirdly, *for defence of the Church of England*. For the *King*, no queſtion, but the Biſhops are faithfull to him. We ſee, they have conſtantly adhered to him in theſe times of triall. In Gods and the Kings cauſe they have all ſuffered, and ſome died commendably

c Ib. p. 4.

dably, if not gloriouſly. For the *defence of the Kingdome* none more forward with their advice, purſes, and prayers. And for the *Church*, who ſo fit, who ſo able to ſpeake as *Biſhops?* Verſed they are in the divine Law; in Church hiſtory, and in the Canons of the Church. They fully underſtand not onely the preſent, but the ancient ſtate of the Church. They know, what is of the Eſſence of the Church; what neceſſary, and what convenient onely; what is liable to alteration, and what not. Theſe things are within the verge of their profeſſion, and moſt proper for them to ſpeak to.

10. When King *David* firſt reſolved to bring up the *Arke of the Lord from Kiriath-jearim*, into his own Citie, [d] he conſulted with the Captains of thouſands, & hundreds, *& cum univerſis Principibus*, and with all his Princes, about this buſineſſe, [e] By their advice he orders, that the *Arke* ſhould be carried in a new Cart; and *Uzzah* and *Ahio* are to drive it. But what becomes of this conſultation? [f] An *error* was committed clean thorough, and *Uzzah* ſuffers for it. Though *David* were a marvelous holy man, and a good King, and had a company of wiſe, religious Councellors about him, in the removall, and ordering of the *Arke*, they were miſtaken, becauſe they did not adviſe with the *Preiſts* about it. For [g] *the Preiſts lips preſerve knowledge. & they ſhall inquire of the Law at his mouth.* And [h] the Law will not have a Cart to carrie the *Arke*, nor Laymen to meddle with it. *David* ſaw his miſtake with ſorrow; and confeſſeth to the *Preiſts*, that [i] he and his Councellors *had not ſought God after the due order.* And why ſo? [k] *Quia non eratis præſentes* (ſo the Fathers read) *becauſe the Preiſts were not preſent*, & he had not conſulted with them about this ſacred buſineſſe. And hence it is, that [l] *they did illicitum quid, ſomthing that was unlawfull.* That then a thing be not *unlawfull*, we muſt conſider, not onely what is to be done; but the *order* and manner is to be conſidered, how it ought to be done; leaſt failing of the *due order*, it prove *unlawfull*. Moſt Chriſtians know *bonum*, what is good; but few are skilled in the *bene*, how it ought to be done; and that is it, that makes ſo many ruptures, ſo many breaches, and factions in the world, becauſe every man will preſcribe the *order*, and manner; which, God knows, they litle underſtand.

[d] 1 Chron. 13. 1.
[e] Ib. v. 7.
[f] 2 Sam. 6 7. Uzzah died before the Ark, for uſurping that, which did not appertain to his vocation; for this charge was given to the Prieſts, Gen. Note in 1 Chron 13 10.
[g] Mal. 2 7.
[h] Numb. 4 15.
[i] 1 Chron. 15 13.
[k] Ib.
[l] Ib.

11. When

11. When therfore *David* had once more resolved to fetch up the *Arke* from the house of *Obed Edom*, he calls for the *Preists*, and acknowledgeth, that [m] none ought to carrie the Arke of God, but they; and that [n] *therefore the Lord had made a breach upon him and his, because the Preists had not brought it up at first.* That this faule may be duly and truely mended, [o] *David* commands the *Preists* to sanctifie themselves, and to bring up the Arke. They did so, [p] *they brought it up upon their shoulders*, [q] according to their dutie. And [r] *God helped the Levites, that bare the Arke*; because it was now done in *due order.* It is no shame then for us, to acknowledge our error with *David*, and with him to amend, what is amisse. Yea this was such a warning to him, that [t] he would not so much as resolve to build an house for the Lord, till he had acquainted the Prophet *Nathan* with it. In matters therefore, that concern the *Arke* of the Covenant, the *Church* of the living God, it is not safe to do any thing without the *Preists* advice. If then the cheif and maine end of calling a *Parliament* be for the good of the Church, it is most necessary to have the *cheif Fathers of the Preists* present. But Sir *Edward Coke* assures me, that this is the main end of calling a Parliament. His words are these: [s] *Though the State and defence of the Church of England be last named in the Writ, yet is it* FIRST IN INTENTION. And what is *first in intention* is chiefly aimed at, all other things that are handled, are but as means to effect that. It is not then *incongruous*, but most consonant *to the calling of Bishops to sit and Vote in Parliament.*

m 1 Chron. 15. 2.
n Ib. v. 13.
o Ib. v. 12.
p Ib. v. 15.
q Num. 4. 15.
r 1 Chron. 15. 26.
t 1 Chron. 17. 1.
s Sir Ed. Coke Instit. part. 4. c. 1. Sect. The matters.

12. Besides, [u] if the *honour of God, and of holy Church* be *first in intention*, how shall the *honour of God, and of the Church* be provided for, how *defended*, when the Fathers of the Church are discarded, who know best, what belongs to *Gods honour*; who are most able to speake in *defence of the Church*, & to shew how she ought to be provided for? Shall she not in their absence be layed open to the subtill foxes, and mercilesse bores to wast and distroy her? Yea [x] by this means she is already *distroyed.* So pious Justice *Jenkins.* The *incongruitie* then is not *to the Bishops calling*, but to the covetousnesse of bores and foxes.

u Ib.
x Iust. Ienkins Inconven. p. 5.
y Iust Ienkins Inconven. p. 5. Instit. part. 4. c. 1. Sect. Of what persons.

13. Another *incongruity* will follow upon this. [y] *The whole Parliament is one corporate body consisting of the* HEAD AND THE THREE

THREE ESTATES. If one of the *Estates* be wanting, it cannot be called a *whole*, but an imperfect, a maimed *Parliament*. But [z] the *Bishops* are one of the *three Estates*. Suppose them to be the *more feeble and lesse honourable* Estate, or *Member*, yet a this very Member is *necessary*; and the body is but lame without it. Take heed then, that the excluding of *Bishops*, be not *incongruous* to the *Parliament*. I see not, how it can be *incongruous to the Prelates* to suffer wrong, since [b] for this purpose they are called. But it is *incongruous to the Parliament*, to be without them; since without them, it is not a *whole*, but an imperfect *Parliament*. For I have read, that [c] *Bishops were in all Parliaments, and voted in them, since we had any*. Yea, that great Master of the Law justifies, that [d] *every Bishop ought ex debito justiciæ* of due justice to *be summoned by Writ, to every Parliament, that is holden*. But if they leave out the *Bishops*, they begin with *injustice*, and lay but an ill foundation for so great a Court of Justice. And where *injustice* beares the sway, there is little *Justice* to be hoped for. So they are *incongruous* in the first stone, or foundation of a *Parliament*.

[z] Sir Ed. Coke 1b. [a] 1. Cor. 12. 22, 23.

[b] 1. S. Pet. 3, 11.

[c] Lex terræ p. 14

[d] Sir Ed. Coke Inst. part. 4. c. 1. Sect. Of what persons.

14. There is a Statute, that no Act of Parliament be passed by any Soveraign of this Realm, or any other authority what soever, without the advice & assent of the three Estates of the Kingdome, *viz.* of the [1] *Lords spirituall*, & [2] *temporall*, & the [3] *Commons* of this Realme. And all those are solemnly cursed, by the whole Parliament, that shall at any time endeavour to alter this Act, or to make any Statute otherwise then by the consent of all these, or the Major part of them. This, as the learned in the Law report, is upon record in the Parliament Roles.

15. And what comfort, I beseech you, can his *Majestie* have to call a *Parliament* without *Bishops*, since he cannot assure himself of Gods assistance without them? [f] *Cenwalch* King of the *West-Saxons* was sensible, that *his Province was destitute of Gods protection, while it was without a Bishop*. Indeed [g] *a good Bishop* is (with *Gregory*, Metropolitan of *Cesarea*) not onely the *beautie of the Church*, and a *fortresse to his flock*, but he is the *safety of his Country*. It was the religious conceit of our country men heretofore, that [h] *both King and Kingdome have by the Church a solid, a sure foundation for their subsistence*. And it was the usuall saying

[f] Beda Eccles. hist. l. 3. c. 7.

[g] Basil. M. epist.

[h] Rog. Hoveden. in Hen. 2. p. 601.

ing

ing of King *Iames*, i *No Bishop, no King.* In Scripture the Preists are called k the *Charets and horsemen of Israel*; because *by their prayers the Country prospered more then by force of armes.* And the Greek Fathers observe, that l the *Bishop is* therefore *to pray for all*, m because he is *the Common Father of all*, be they good or bad.

i Confer. at Hampt. Court p. 36. & 82.
k 2 Reg. 13. 14.
l 1 Tim. 2. 1.
m Oecumen. in loc.

16. And as he can have little spirituall comfort without Bishops; so n without them he can have no temporall releife, no Subsidies granted for his own supplies, or for the defence of the Kingdome. I am sure, none have been granted him at *Westminster*, since the expulsion of the *Bishops*. Thus have you moulded up such a *Parliament*, as was never known in this Realme, since these great Councels of State were first assembled. For though the *Bishops* were by his Majestie summoned *according to justice*; yet were they afterwards turned out at the instigation of a strong & tumultuous faction; & not suffered to vote in matters that concerned either Church or State. Thus ye are become o *like the Princes of Judah, that remove the bounds*; That is as the *Genevians* interpret, p *ye have turned upside down all politicall order, and all manner of Religion.* q *Therefore upon those*, that have done so, *the Lord will powre out his wrath like water*; which will surely overwhelm them, as it did those desperate sinners in the deluge. Thus I have manifested, that it is not *incongruous to the calling of Bishops to sit, and vote in Parliament*; but to exclude them is *incongruus* to the being of a *Parliament*, to the weale of the King, and safety of the Kingdom.

n 34 Ed. 1 c. 1. & 14. Ed. 3. c. 1.
o Hos. 5. 10
p Gen. note in loc.
q Hos. 5. 10.

17. And yet, as if what you had delivered, were *ex tripode*, as sure as Gospel, r from barring their votes, you deduce an argument for taking away *their Jurisdiction Ecclesiasticall.* If one be *abolished*, why may not the other be *removed*? As if, because my cassocke is taken from me, I must necessarily be stripped out of my gowne 'Tis true, if this be also done, I must bear it patiently; but my patience doth not justifie their action, that do me the injurie. Neither doth the former fact justifie the latter: truly no more then *Davids* follie with *Bathsheba* can countenance the murder of *Vriah*. The question is not *de facto*, but *de jure*, not what is done, but whether it be justly done. If the *fact* may justifie a *right*, then may we maintaine

r And then why may not the *removall* of their Ecclesiasticall Iurisdiction be consented to, as well, if it prove inconvenient & prejuticiall to the Church. I. G. p. 4.

robbing

robbing upon *Salisbury Plain*; becauſe it hath been done there more then once. A wonder it is, you had not framed your argument thus: *who knows not*, that the *Parliament* cauſed the *Arch Biſhop of Canterbury* to be beheaded? *And then why may they not* hang the reſt of the Biſhops, if their lives *prove inconvenient, and prejudiciall to the Church?* But with *Julian the Apoſtata*, ye had rather ſlay the *Preiſthood*, then the *Preiſts*.

17. Indeed ſ the *removall of their Eccleſiaſticall Juriſdiction is no more againſt the Oath then the abolition of their Votes.* Both alike in reſpect of the *Oath*; but if we conſider the ſeverall authorities, from whence they are derived, we ſhall find a difference; becauſe the moſt part of their *Juriſdiction* is the grant of God; but their *Voting among the Peers* is by the favour of Princes, grounded upon the right of Nature, and that civill intereſt, which every free denizon ought to have in ſome meaſure, in diſpoſing of his own, and aſſenting to new Laws. But ſuppoſe *Princes* may revoke their own favours, can they without perill to their ſoules, cut off that entaile, which God hath ſettled upon his Church? I beleeve, no. But you will onely *remove* it, not *aboliſh* it. And removed it may be from *Dorcheſter* to *Lincolne*, from *Crediton* to *Exiter*. But the *removall of Eccleſiaſticall Juriſdiction* from *Biſhops* to *Presbyters*, is utterly unlawfull; ſince without ſinne we may not alter the Ordinance of God, who ſettled this *Juriſdiction* upon *Biſhops* onely, and not upon *Presbyters*; as is demonſtrated in the next Chapter.

ſ The abolition of the one, is no more againſt the Oath then of the other. I. G. p. 4.

CHAP. XIII.

Certaine light and ſcandalous paſſages concerning Prince and Preiſt tenderly touched.

1. THere's a great cry in the fourth page againſt the *Juriſdiction of Biſhops, as inconvenient and prejudiciall to the Church*; againſt *unlawfull immunities, Anti-Evangelicall Pompe, comberſome greatneſſe*, and *Forfeiture by abuſe*. All theſe are cryed out upon, but none of them proved. I ſhall therefore paſſe theſe

by as a diſtempered foame, or pulpit froath. Yet thus much I muſt ſay, that the *Immunities of the Clergie*, are held by *Law*, or not. If by *Law*, then are they not *unlawfull*, but *legall*. If *legall*, it is preſumption in you to call them *unlawfull*. If *unlawfull*, ſhew againſt what *Law*. We take not your word to be ſo authenticke, as if we were bound to beleeve, what ever you ſay.

t I. G. p. 4. 2. Somthing anſwerable to this it is, that you tel us, t *when this Oath was framed, the Church was indued with the ignorance of the times*. But when was that time? For that we may go ſeek; for you relate it not. If you had, perchance we might have ſhewed you as wiſe, and as learned men in thoſe *times*, as *Weſtminſter* affords at this day.

u In all which reſpects the Oath was invalid being *vinculum iniquitatis*, I. G. p. 4. x Ib. p. 1. y Ib. p. 3. z Ib. p. 4. a Ib. b Ib.

3. And yet upon theſe imaginations you conclude, that u *the Kings Oath is invalid*, and not onely ſo, but that it is *vinculum iniquitatis*, the bond of iniquitie. The *reſpects*, you relie upon, are onely theſe. Firſt, that x *Prelacy is an uſurpation contrary to Chriſts inſtitution*. 2ly, that y *the Clergie be of themſelves a diſtinct Province, is a branch of Popery*. 3ly, that z *Biſhops ſitting and voting in the Houſe of Peers, is abolißt as incongruous to their calling*. 4ly, that a *the Church was endowed with diverſe unlawful immunities*. And laſt of all, that b *when this Oath was framed, the Church was indewed with the ignorance of the times*. The foure former have been prettily well ſifted, and a *non liquet* is returned, I find them not proved. When you make good the laſt, I ſhall, with Gods bleſſing, return you an anſwer.

c Act. 8. 23. 4. In the mean ſpace I cannot but tell you, that you have willfully & dangerouſly ſcandalized diverſe Princes of bleſſed memorie; and charged them almoſt as deeply, as c S. Peter did *Simon Magus*, with the *bond of iniquitie*. A binding, an intangling ſinne. Surely thoſe Princes if you may be credited, tooke this *Coronation Oath* either ignorantly, or maliciouſly. If ignorantly, they are ſimple, or careleſſe: If maliciouſly, they were neither good Kings, nor good Chriſtians. But *light* forſooth, *hath ſhined forth* ſince thoſe miſtie daies. I fear this late light, is but a *falſe light*: for it was never ſpyed by any, that were not condemned Hereticks, till now of late.

5. Well, thinke men, what they pleaſe, you have lately diſcovered,

diſcovered, that the *Juriſdiction*, which was *inconvenient and prejudiciall* in the *Biſhops*, will prove very convenient and commodious for the Church in *preaching Presbyters*. Thoſe *immunities*, that were *unlawfull* in them, will be lawfull in you. That *pompe*, which was *Anti-evangelicall*, and *carnall* in them, muſt needs be ſpirituall and throughly ſanctified to ſuch *Evangeliſts* as your ſelf. That *comberſome greatneſſe* will but fit your ſhoulders; and thoſe *great promotions*, will not at all be *unwildy* to *Presbyteriall Saul*, which did comber *Biſhop David*. And d *thoſe priviledges*, which were diſadvantagious to the Church, and hindred the growth of religion, while they were in Epiſcopall hands, will in a *Claſſicall Aſſembly* turn to the *advantage of the Church*, and *further her edification*. If this be not your meaning, let the world judge. For theſe are your words; e *And why may not the great revenues of the Biſhops, with their ſole Juriſdiction in ſo large a circuit, be indicted and convict to be againſt the edification of the Church; and it be found more for the glory of God; that both* THE REVENUE BE DIVIDED, *to maintain a preaching Miniſtery, and* THEIR JURISDICTION *alſo, for the better overſight and cenſure of manners*. You have indicted them indeed, and *their revenues*, as if under the *Biſhops* there were no *preaching Miniſtery*, no *cenſure of manners*; as if under them there were nothing to the *edification of the Church* or the *glory of God*. Whereas it is well known, that whileſt the *Biſhops* enjoyed their *Juriſdiction*, other manner of Sermons were preached, then have been ever ſince.

d I.G. p 4.

e Ib.

6. You have already vaunted, that the *Biſhops revenues and Juriſdiction are againſt the edification of the Church*; and I make no queſtion, but you will juſtifie, that the aboliſhing of the *three Creeds*, is much to the *edification* of Gods people. And is not the ſilencing of the ten Commandments, *for the better overſight and cenſure of manners?* Thus you have alſo condemned that moſt excellent forme of *Divine Service*, and vented multitudes of hereſies; and all *for the glory of God*. But when theſe things come to tryall we ſhall certainly ſee, who will be *convicted* by that grand Jury, f that ſhall ſit upon twelve thrones, Judging the twelve tribes of *Iſrael*. Not onely of *Iſrael* according to the fleſh, but of *Iſrael* alſo according to faith.

f S Mat 19. 28.

7. But why are you ſo ſuddenly fallen from an *abolition*, to an *alteration?* Before you profeſſe, g *That the abolition of the one, is no more againſt the Oath, then of the other.* There you would have the *Biſhops Juriſdiction aboliſht with their Votes.* But here you will have the *Juriſdiction divided*, their *domination altered*, and all *to maintain a preaching Miniſtery.* This you call h *the removall of their Eccleſiaſticall Juriſdiction*; in the ſame page. *Aaron* muſt lay down his Miter and holy garments, that *Korah* may put them on. And S. *Paul* muſt reſigne his Apoſtolicall rod to *Simon Magus*, to *Alexander* the Copper-ſmith, and to the brethren in Quirpo. And why ſo? Alas, the *Apoſtle-Biſhops* i *do not further, but hinder the work of the Goſpel*; They are ſuperannited and decrepit; away with them by all means, and bring in the young, luſtie *Presbyter-Biſhops*, k *where ſtrong holds are to be vanquiſht.* Theſe are the men will do the work, or the Pulpit and Church ſhall ring for it. This you call l *a good plea to* ALTER *the uſeleſſe Anti-Evangelicall pomp.* Indeed 'tis the beſt you have; and make the beſt you can of it, it will prove but an *Anti-evangelicall* and Antichriſtian *plea*; if we truſt Scripture.

g I. G. p. 4.
h Ib.
i Ib.
k Ib.
l Ib.

8. Yet, that this may be done according to your deſigne, you allow the *King* thus much power, m *that he may, notwithſtanding his Oath, conſent to* ALTER *the Clergies immunities.* No *Oath* ſhall ſtand in the way, ſo ye may gain by it. What? again fallen from the queſtion? From *abrogation* to *alteration?* What if I ſhould tell you, that you have *altered* the ſtate of the queſtion? That *abrogation* is the repealing, the diſanulling of a Law; and not the changing of it? But this is no error with you, whoſe aim is to have *Epiſcopacy aboliſht*, that ſo the *immunities and lands* thereof may be transferred upon the *Preſbytery.* This is the *alteration* you gape after. Yes, you would ſo; n ſettled you would have them upon *preaching Miniſters*, and o upon *parochiall Paſtors:* as if none were *Preachers* or *Paſtors*, but you of the Presbyteriall cut. I will not ſay, that you are Hereticks in this and in other your new-forged doctrines, invented to ſubvert *Monarchy* and *Epiſcopacy.* But I ſhall tell you S. *Auſtins* opinion, and ſo leave you to the opinion of the world. p *He, in my conceit, is an heretick* (ſaith that Father) *who*

m Ib.
n Ib.
o Ib. p. 6.
p Hæreticus eſt, ut mea ſert opinio, qui alicuius

FOR

FOR ANY TEMPORALL COMMODITIE, *and chiefly* FOR HIS OWN GLORY AND PREFERMENT, *doth either raiſe or follow falſe and new opinions.* And are not *pelf, honour,* and *preferment* the cauſe of all theſe ſidings, and ſeditions, in Church, and State? If theſe times ſpeak it not; I am deceived. As for your *opiuions,* it hath been ſufficiently manifeſted, that they are both *falſe and new.*

temporalis commodi. & maximè gloria principatuſque ſui gratiâ, falſas ac novas opiniones vel gignit, vel ſequitur. Aug. de util. credend. c. 1.

9. Be your opinions what they will, their *immunities and rights* muſt down, or you will fail in a *Dilemma.* q *The Clergie* (ſay you) *either hold their rights and immunities by Law, or otherwiſe.* This is not to be denied. But what follows upon this? r *If by Law, then the Parliament, which hath power to* ALTER ALL LAWS, *hath power to alter ſuch Laws as give them their immunities: and thoſe Laws altered, the immunitie ceaſeth; and ſo the Kings ingagement in that particular. If not by Law, it is but an uſurpation.* You ſay it, and we grant it. For truth it is, that we claim no *rights* and *immunities,* but what the ancient and Chriſtian *Laws* of this Realm have confirmed unto us by *Act of Parliament.*

q I. G. p. 3.

r Ib.

10. You ſay, that *the Parliament hath power to alter all Laws.* What if a man ſhould ſay, that this aſſertion is not true? I conceive, it were no blaſphemie. Indeed it is a blaſphemous poſition to broach the contrary. None but an Atheiſt dares juſtifie, that ſ *the Parliament,* or any mortall Soveraignty, *hath power to alter* either the Law of God, or the Law of Nature. And yet theſe are Laws. And who, but an enemy to his Countrey, and a friend to confuſion, dares affirm, that the *Parliament* hath power to alter the Monarchicall or fundamentall Laws of this Kingdom. I am ſure *Juſtice Jenkins* reſolves, that t *by the Law of the Land a Parliament cannot alter any morall Law.*

ſ Princeps ſupra *legem divinam* non eſt, poſita illa quippe ab eo eſt, qui ſupra ipſum eſt: neque ſupra *naturalem,* quæ aboleri non poteſt niſi cum naturâ ipsâ. Io. Bedæus de Jure Regio c. 2.

t Lex terræ p. 29.

11. Give me leave to propoſe your own Argument *in terminis,* in behalf of the City of *London.* The Citizens of London *either hold their rights and immunities by law, or otherwiſe. If by law, then the Parliament, which hath power to alter all Laws, hath power to alter ſuch Laws, as give them their immunities: and thoſe Laws altered the immunity ceaſeth. If their immunitie be not by Law, it is an uſurpation without juſt title; which upon diſcovery is null.* How like you this, my rich Maſters of *London?* Hath not Mr. *Geree*

ſet

ſet you in the ſteep way to ruine? But ye may, perchance, have a confidence, that the *Parliament* will not ſerve you ſo. Be of that minde ſtill. The *power*, it ſeems, is in their hands: how they will uſe it towards you, I cannot ſay. How they have uſed it towards us, and towards our good *Soveraign*, ye know. And can ye look to fare better? Remember, what our Saviour

u S. Joh. 15.20 ſaith, u *The ſervant is no greater then his Maſter. If they have perſecuted me, they will alſo perſecute you.* As they have uſed your Lord and *King*, they will uſe you. The courteſie ye are like to find, is that, which *Vlyſſes* had from *Polyphemus*, to be their laſt breakfaſt.

x I. G p. 5. 12. Well, x upon the alteration of the Law, *the immunitie ceaſeth, and ſo the Kings ingagement in that particular.* An *Ordinance of Parliament* hath abſolved many a ſubject from his *Oath of Allegeance:* and now we ſhall have a *Law*, to abſolve the King from his *Oath of protection.* But I am ſure no Law can abſolve him from a duty inherent to his Crown. And * ſuch is the duty of protecting his Subjects from oppreſſion, and the Church from ſacrilege. You cannot therefore poſſibly abſolve him from this *ingagement.* Beſides, it was never conceived, that an *Ordinance* was of ſufficient force to *alter a Law.* The *Kings ingagement* therefore ſtands as yet *in this particular.*

* All Kings *by the Royall Office*, and Oath of Coronation, are obliged to protect their Laws and Subjects. Declarat of the Kingd. of Scotland. p. 20

13. But ſuppoſe, there were ſuch a *Law*, as you ſpeak of, could it be juſt? I have learned from your *London Miniſters*, that y Νόμος, *Law, is ſo called* in Greek, *from rendering to every perſon, what is juſt, meet, equall.* In very deed, as the great Lawyers ſpeak, z *Jus, idem eſt, quod juſtum & æquum*; The Law is nothing elſe, but that *which is juſt and right.* If it be otherwiſe, it is not *jus*, but *injuria*, an *injurie*, but no *right.* You are pleaſed to acknowledge our *privileges* to be our *rights.* How then can they be taken from us without *injurie?* And it is not lawfull, with the ſupreme Judge, for any Prince or Court to deal injuriouſly, with the meaneſt, that are ſubject to them. *Juſtice it is, to give to every man his own. Injuſtice* then it muſt needs be, to ſpoil any man of that, which is his, either by the Laws of God or man. Suppoſe us to be in equall balance with our fellow-ſubjects, and that we have no other right to our lands and privileges, but by the Laws of the Realm: what reaſon

y I. D. p. 6.

z Calvi. lex Jutid. in verbo *Jus.*

a I. G. p. 2.

can

can be given, why we ſhould not peaceably enjoy, what is ours, by the Law of the Land, as well as the reſt of our fellow Subjects? We have the ſame *right*; and why not the ſame *protection?*

CHAP. XIV.

Whether the Lands of the Church may be forfeited by the miſdemeanour of the Clergie.

1. WE ſhall have reaſon to work us out of our *rights*, and Law to turn us out of the Kings protection. But ſuch reaſon and Law, as may with much eaſe, and more equitie be returned upon your ſelves. Your reaſon is this; becauſe b *theſe rights were indulged* to the Clergie, *for the perſonall worth of preſent incumbents.* If therefore their *ſucceſſors forfeit them by their ill demeanour*, theſe *rights* may be taken from them. This is eaſily reſolved, not ſo eaſily proved. For the truth is, theſe *rights* were not given to particular perſons, but to a ſucceſſion of *Biſhops* and *Prieſts*, and other Officers for Gods ſervice. Or rather, theſe lands and privileges were given to God and the Church, for the maintenance of theſe offices. My unworthineſſe makes not the office the worſe; neither can my wickedneſſe make a *forfeiture* of Gods inheritance. I may c with *Abiathar*, juſtly be deprived of my place, and the benefits thereof; but the place, and the *rights* thereof fall not into a *Premunire*; a good man even d *Zadok* ſucceeds this traitor *Abiathar*, and enjoyes not onely the office, but all the profits, that belonged thereto. This was *Solomons juſtice*; he knew, how to diſtinguiſh between the faultie *Prieſt*, and the faultleſſe office. But you are a *rooter*; if a twig be in fault, up with *branch and root*. This is your juſtice. But e it is far from the juſt Judge of all the world, to *root* up the righteous with the wicked. And ſurely we ought to endeavour to be righteous and juſt, as our heavenly Father is juſt.

b Ingagements to a Societie to maintain their rights, indulged for the *perſonall worth* of preſent incumbents, or to promote the *uſefulneſſe of the office* if in their matters they prove prejudicial to the office, or the ſucceeding officers by their *ill demeanour* forfeit them, their ingagement becomes alterable. I G p. 5.

c 1 Reg 2. 27.

d Ib. v. 35.

e Gen. 18. 25. 26.

2. Have you a deſire to know, what *true juſtice* is? It is that, f *Quam uniformem ac ſimplicem propoſuit omnibus Deus*, not what

f Lactan. Inſtit. l. 6. c. 9.

we

we fancie, but *what to all men God hath proposed uniform, and alike, plain and simple*; such as can admit of no cavill or misconstruction. g Where this true justice is wanting, there can be no Law, no right. For that which is done by right, is done by Law. And that, which is contrary to right, is contrary to Law. Nothing can be according to Law, but what is according to justice. For justice is that, which gives life & being to a Law. And to say, that this or that is an *unjust Law*, is a flat contradiction: since it is *jus à justicia*, *Law* hath the Latin denomination from *justice*: and the Greek from *rendering to every man, what is just and meet*. And the Latin word *Jus* signifies both *Law* and *Right*. An *unjust Statute* therfore there may be, an *unjust Law* there cannot be. f *Non enim jura dicenda sunt, vel putanda, iniqua hominum constituta: for the unjust Constitutions of men, are not to be called, or esteemed Laws*. And they that frame unjust Decrees, are not *Princes*, but *tyrants*: neither are their Subjects, *Free-men*, but *slaves*. Neither can the State, they live in, be called a *Common-wealth*; since, as *Scipio Africanus* observes, and S. *Austin* approves, t *Respuplica* and *res populi*, the *Common-weal* and the *weal of the people*, are one and the same. And then is it truly a *Common-weal*, u *Cum benè ac justè geritur, when it is fairly and justly governed, either by one King, or by a few Noblemen, or by all the people*. But where the Government is unjust, there's no *Common-wealth*. It is S. *Austins*; x *Ubi justicia non est, non est Respublica*. Take away *justice*, and farewell *Republick*. For how can that be for the generall good of all, where justice is not equally distributed to all of whatsoever profession.

g Vbi iustitia vera non est, nec ius potest esse. Quod enim iure fit, iustè fit. Quod autem fit iniustè, nec iure fieri potest. Aug. de civit. Dei l. 19. c. 21.

f See c. 13. Sect 23.

f Aug. de Civit. Dei. l. 2. c. 21.

t Aug de civit. Dei l 2. c. 21.

u Ib.

x Aug. Ib. l. 19. c. 21.

y I. G. p. 5.

3. But y *there's a great deal of difference* (say you) *betweene an ingagement made to persons, on valuable consideration, and that which is made* gratis *to an office or society subservient to publike good*. So much *difference* indeed there is, that the setling of land upon a corporation is more firme then any entaile upon a familie; because persons dye, but Corporations live. It *gratis* make the difference in your opinion, it makes none in Law: For that land is as much mine, which is conferred upon me by deed of gift, as that which is conveyed to me by purchase. What difference, I pray you, *between* lands, purchased by the society of *Goldsmiths*, and such as are freely given to that Company?

Are

Are not the later as much theirs, as the purchaſed lands? Are they not alike ſettled by the ſame Law, & juſtified alike by the ſame Law? And z of this very *ſort is this ingagement to the Engliſh Clergie*. And never a whit the worſe for that. For of this ſort is that magnificent maintenance, which was ſettled upon the tribe of *Levi*, by God himſelf: all given *gratis*. a And of this ſort are the *ingagements made to them* by *Darius* King of *Perſia*. And yet b *whoſoever ſhall* ALTER *this word, let the timber be pulled down from his houſe, and being ſet up, let him be hanged theron: And for this let his houſe be made a dunghill. And the God, that hath cauſed his Name to dwell there, deſtroy all* KINGS *and people, that ſhall put their hand to* ALTER *and to deſtroy this houſe of God.* Of this ſort alſo were c the ſilver and gold, which were freely offered by King *Artaxerxes* and his Counſellers, by the Preiſts and people to the God of *Iſrael*, for the houſe of God. Of this ſort alſo was d the relaxation of all toll, tribute, & cuſtome to the *Preiſts* and *Levites*; a free gift. And yet e *Whoſoever will not do the* LAW OF GOD AND OF THE KING, in theſe things, *let judgement be ſpeedily executed upon him, whether it be* 1 *unto death, or* 2 *to baniſhment or* 3 *to confiſcation of goods, or* 4 *to imprisonment.* And was not this priviledge granted, for the grace and favour that f *Shesbazzar* and g *Ezra* found in the eyes of thoſe Kings? Or, if you will, *for their perſonall worth?* And yet this grant is called not onely the *Law of the King, but the Law of God*: and delivered ſo to poſterity by h *Ezra a ready ſcribe in the Law of Moſes*, and the penman of God.

z Of the later ſort, is this ingagement to the Engliſh Clergy. Ib.

a Ezra 6 8, 9.

b Ib. v. 11, 12.

c Ezra 7. 15, 16.

d Ib. v. 24.

e Ib. v. 26.

f Ezra 1. 8.

g Ezra 7. 6.

h Ib.

4. Suppoſe we alſo, that i *theſe rights were indulged for the perſonall worth of the preſent incumbents*; may they therfore be alienated, becauſe ſome *ſucceeding officers demean themſelves amiſſe?* So ſay you; but you are wide of the marke. Theſe lands and immunities were not made to any particular perſons, but to the office or ſociety; or to God for their uſe. What is given to a perſon for life, goes not to the Office, but dyes with the perſon. But what is ſettled upon an Office, lives with the Office. k And I have manifeſted, that *Epiſcopacy* is *a living Office*; an Office, that muſt laſt, while *Chriſt* hath a Church on earth. Perſons may forfeit their place, and the benefits ariſing from thence to their incumbency; but the Office, if neceſſary, muſt

i I. G. p. 5.

k Cap. 4. 5.

l Act. 1. 25. m Ib. v. 20.

continue. l *Judas by tranſgreſſion fell from his Office*; but the Office fell not with him; no, m another, a *Saint* may, and *muſt take his Biſhopſhip, or Apoſtleſhip*, and the *Rights* that belong thereto.

5. However then ſome ſuch favours may be granted to an Office, with relation to the *perſonall worth of the preſent incumbent*, yet being given to *promote the uſefulneſſe of the Office*, it ſhall be no movable; it is fixed (as the Lawyers ſpeak) to the freehold, and ſhall abide, till the Office be found uſeleſſe, and therefore aboliſht. But till then n it is *injuſtice to alter*, or alienate thoſe rights, without which the *uſefulneſſe of that Office* cannot be ſo well *promoted*. *Injuſtice* it is, to take that away, which you never gave, and is ſo *uſefull for the Office*, let the Officers fault be what it will. It is wild work to puniſh the Office for the perſon: This is none of Gods courſe. o The ſons of *Eli* were as bad as bad might be; God deſtroyeth them, but not the Office, neither yet doth he fleece it. But before I paſſe further, I muſt make this obſervation: The quarrell you picke with the Clergie, to rob them of their lands and priviledges, will ſuite with any ſociety, or Corporation. If it ſhall pleaſe your great Maſters to ſay, that the *Drapers*, or *Grocers*, or that great Corporation of *London* have ſo *demeaned* themſelves, that they have *forfeited* their lands and immunities, up they go; they ſhall be in the ſame ſtate with us. They that uphold their power by the ſword, do uſually what they liſt, not what they ought. „If *Parliaments* might utterly be aboliſhed for *miſdemeanour* and *miſcarriage*, I preſume, this Iland ſhould never ſee another *Parliament*.

n There's no injuſtice done to make a Law to overrule or alter this ingagement. I.G. p. 5.

o 1 Sam. 2, 12. 22.

6. You ſpeake largely p of the *Parliaments power*. It is out of my element, and I am tender to meddle with it. I know tis large in a free and full convention, when the Members conſtitutive are preſent: But how large, I ſhall leave it to the learned of the Law to define. Yet this I dare ſay, whatever their *power* be, they cannot make that juſt, which is unjuſt; nor that truth, which is a lie. q *Ahab* and *Jezabel* had power to over-rule the Elders and Nobles of *Jezreel*; and to take away both *Naboths* vineyard and life, without any cauſe at all. You will not, I hope, juſtifie any ſuch power, or Act. 'Tis true;

p There's no queſtion of power in the Parliament, to overrule it. I.G. p. 5.

q 1 Reg. 21. 13. 16

Naboth

Naboth hath loſt all at a blow; but it was by tyranny, not by Law: Becauſe there was no equity in the ſentence. And yet there were as good witneſſes came againſt *Naboth*, as any appeare againſt *Epiſcopacy*.

7. But you have been at the bar of late, and have learned a *Law diſtinction*, which neither *Scripture*, nor *Fathers*, nor *Schoolmen* ever taught you, and this it is. r *An ingagement may be gone in Law, though not in equity.* And that an *Order of Parliament will be valid in Law, though injurious.* How? *valid in Law, though injurious?* The learned in the Law deny, that an *Order of Parliament* is *valid in Law*. And ſome of their own creatures in their circuits have rejected ſome *Orders* from *Weſtminſter*, becauſe they were contrary to *Law*. But you, my Maſters, that have been ſo forward with your purſes, bewar. ſ He t the *Parliament may ordain releaſe of the ingagement*. Here's divinity without *equity* or conſcience. But it's like the reſt.

r The ingagement were gone in *Law*, though not in *equity*, the order would be *valid in Law*, though *injurious*. L. G. p. 5.

ſ Ib.

t Ib.

8. *Gone in Law* (ſaith this conſcientious Preacher), *not in equity; valid in Law, though injurious.* Behold *Law* without *equity*; a Law, and yet *injurious*. God bleſſe me from ſuch *Law*, and ſuch *Divinity*. I ever thought, that *Law* and *equity* had gone together, and that *Law* could not have ſtood with *injurie*: Since (as S. *Auſtine* ſpeaks) u *Jus & injuria contraria ſunt*, *Law and injurie are contraries*; and can no more conſiſt then light and darkneſſe. And if with x *Thomas*, and y the *London Miniſters*, *Jus* be that, *which is preſcribed, or meaſured by Law*; then either that is no *Law*, which *preſcribes*, what is not *right*; or elſe *injurie* ſhall be *right*, becauſe it is *preſcribed by* Law. I hope, you are not of this mind.

u Aug. in Pſal. 145. 6.

x Tho. 2. 2. q. 57. 1 2m.

y L. D. p. 6.

9. If the Fathers were not quite out of date, I could tell you, what S. *Auſtine* ſaith. And yet why may not I make uſe of him as well as your fellow *Miniſters of London?* Behold then the very caſe. z *Quid ſi aliquis condat jus iniquum? What if any ſhall make an unjuſt Law*, a Law without equity? Is not the caſe put right? If it be ſo, take his reſolution. a *Nec jus dicendum eſt, ſi injuſtum eſt. If it be unjuſt, it is not to be named a Law.* And yet with you it ſhall be a Law *though injurious*. Thus *your*

z Aug. in Pſal. 145. 6.

a Ib.

ease of conscience is resolved against conscience; for all *injurie*, if understood, is against *conscience*. Surely the *Parliament* is much beholding to you, to stretch your *conscience*, and their fringes so much against *conscience*. For you justifie a power in them to do *injurie*; and not onely so, but a power to make *Laws*, to justifie this *injurie*. And yet b in them this shall be no *tyrannous invasion on* any Societies *rights*, because done by a *Parliament*. That title is a salvo for all blemishes and injuries. No *tyranny*, no *invasion*, if done by a *Parliament*: as if they were *infallible*, and could not erre; *impeccable*, and could not do amisse. Or as if God himself did alter his own Laws, that their *alterations* might be irreprovable.

b The Kings Oath is against acting or suffering a *tyrannous invasion* on Laws and rights, not against a *Parliamentary alteration*. I. G p. 2

10. I must confesse, the next is a very conscientious proposition, of another die; and this it is. c *If there be no injury, the King and Parliament may cancell any obligation.* Without peradventure they may. But what makes that *So* there? As ther's *no question of power in the* Parliament, *to ordain an injurious Order, or a* Law *without equity*: SO IF THERE BE NO INJURY &c. What *So*, and no otherwise? Then have they no *power* at all to *cancell any obligation*, because the *Parliament hath no power to make a* Law *without equity*. If this do not follow, let men of understanding judge. And if you have no better argument to prove, that it is lawfull for the *King* and *Parliament* to *abrogate the immunities, and to take away the lands of the Clergie*, you will never be able to approve the *lawfulnesse* thereof.

c *So* if there be no injury, the King and Parliament may cancel any obligation. I. G p. 3.

11. What is according to *Law*, true Law, is *lawfull*; and what is *lawfull*, is according to *Law*. If *lawfull*, not *injurious*; if *injurious*, not *lawfull*, not *valid in Law*: since nothing is *valid in Law*, that is *injurious*. To what purpose then are those words; d *The abrogation will be just, as well as legall, there will be no injury done?* Surely none, where *Law* is of force; for where *Law* is, there can be no *injustice* countenanced. But where your Law bears sway, an order may be *legal*, though *injurious*; for your words are, e *The order would be valid in Law, though injurious.*

d Ib.

e Ib.

12. And as for f *forfeiture by miscariage*, the *forfeiture* in justice must fall upon him, that *miscarries*, that is, upon the *person*, not upon the *Office*; for an *Office* duely settled can no more make

f Where there is *forfeiture by miscariage*, or the privilege inda-

a forfeiture, then it can *miscarrie*. Such an Office is *Episcopacy*, which was duely settled by *Christ* himself. And I hope you have not so far forgotten your selfe, as to say, that an Office immediately instituted by our blessed Saviour can run into a *forfeiture by miscarriage*. What reason can you give, why that should suffer, that cannot erre; that never offended? This is none of Gods justice. And it is well known to the wise, that *Bishops* hold their lands, revenues, and immunities not as granted to their *Persons*, but as annexed to the office for the continuall and comfortable maintenance thereof. Our religious Predecessors had learned of S. *Paul*, that g *no man feedeth a flock, but he eateth of the milk of the flock*. And that h *it is the dutie of the Gentiles to minister unto them in carnall things, of whose spirituall things they have been made partakers*. Indeed i he makes a wonder, that any man should doubt of it; For how can the Office be maintained without means? Surely, though k S. *Paul* did sometimes worke with his own hands, that he might not be chargeable to new converts; yet he telleth the *Corinthians*, that l *He robbed other Churches in taking wages of them, to do the Church of Corinth service*. Yea this Apostle justifies, that m *he hath power to eat and drinke* of their charge, and to n live upon their cost. And that o he *wronged them*, when he did otherwise.

g 1 Cor. 9. 7.
h Ib. v. 11. & Rom. 15. 27.
i If we have sowen unto you spirituall things, *is it a great thing*, if we shall reap your carnall things? 1 Cor. 9. 11.
k Act. 20. 34. & 1 Thes. 2. 9. 2 Thes. 3. 8.
l 2 Cor. 11. 8.
m 1 Cor. 9. 4.
n 2 Thes. 3. 9.
o 2 Cor. 12. 13.

13. We confesse, that p the Office was provided *for publick good*; and that those, which are of the Office neither *hold, nor ought to hold any thing but for publick good*. Is the *Ministery* Lawfull, or no? Was it settled by *Christ*, or no? q Your *London Ministers* have concluded for the *Divine right of Ministers*, or Pastors, and Teachers: and I know, you subscribe to their doctrine. There may not then be any *forfeiture* of the *Ministery*, since the Ordinance of *Christ* cannot be *forfeited by the miscarriage* of man; that's out of all peradventure: Of *priviledges* perchance there may be a *forfeiture*, *where they prove prejudiciall to the publick good*. But *if* and *where* never prove any thing, unlesse you can justifie, that these *priviledges* have been *prejudiciall* to this Church and State.

p The privilege indulged to a Ministery (which ought to hold nothing but for publick good) proves prejudiciall. I. *G.* p. 3.
q I. D. p. 114, &c.

14. Our religious predecessors began the *Great Charter* with r *Concessimus Deo*, *First of all we have granted to God, and by this our present*

r Mag. Char. c. 1.

ged to a Ministery, proves prejudiciall: the abrogation will be *just*. Ib.

present Charter have confirmed for us, and for our heires for ever, that the Church of England be free; and that it have all her rights entire, and her liberties unhurt. [s] *William the Conqueror* began his raign with confirming the liberties and priviledges of the Church. And he gives this reason for it, [t] *Quia per eam & Rex & regnum, solidum habent subsistendi fundamentum; because both King and Kingdome have by the Church a solid foundation for their subsistence.* Had that Prince been alwaies of the same mind, he had never defiled his hands with sacriledge, nor plunged himselfe and issue into so deepe a curse. For after he began to ransake Churches, to rifle Monasteries, and to expose holy ground to wild beasts, and Church-lands to his pleasure, he and his became most unfortunate. He rips up the bowels of the Church his mother; and sucks her blood: and the son of his loines rebels against him, beats him, and draws blood from him. The *Conqueror* turns God out of his inheritance, and his sonne *Robert* endeavours to do the same to him. What afterwards befell him, and all his issue, I shall not need to relate; [u] Mr. *Spelman* hath lately saved me that labour; to him I remit you. In whose treatise you may breifly see the lamentable end of all that great *Conquerors* posterity. To this I shall adde, & wish all my countrie men to observe, that *in the strictnesse of Reformation Episcopacy* was *continued*, as most usefull for the Church.

[s] Rog Hoveden in Hen. 2. p. 601.

[t] Ib.

[u] Prefat. de non temerand. Eccles.

15. But though *Episcopacy* have not been prejudiciall heretofore, it is likely now to prove so. For unlesse they degrade themselves, unlesse they will patiently [x] *part with their wealth and honour, and lay down their Miters, the Crown is like to runne an hazard, and the whole Land be brought to nothing* but misery. I am sorrie to read these lines from a professed *Preacher of the Word of God*; for so you stile your self. And yet I am glad, you deale so fairely with us, as to give us notice, what hath been the cause of your factious preaching, the Countries and Citys tumults, and this detestable and deplorable rebellion? [1] *The Bishops great wealth*, [2] *their honour, and* [3] *their Miters*: these three [1] Their *wealth* they are already stripped of; [2] Their *honour* lies in the dust; and [3] their *Miters* have not been seen many a faire yeer, unlesse it be upon their armes. We know no more what

[x] I hope, they will not be so tenacious of their *wealth* and *honour*, as to let the Crown run an hazard, rather then lay down their *miters*, and indanger the whole Land to be brought to nothing, rather then themselves to moderation I G. p. 5.

what a *Miter* is, then a *Biſhop* knows what *great wealth* is; by ſpeculation meerly. Few of them have gained ſo much by the Church, as their breeding coſt their parents. And yet the *Clergie* is the onely profeſſion repined at.

16. You ſhould have done well, *mutatis mutandis*, to have directed this paſſage to the *Parliament* with this ſmall alteration. *I hope, you will not be ſo tenacious of that wealth, and honour,* you have gained in theſe tumultuous times, *as to let the Crown run an hazard, rather then lay down* this uſurped power, *and indanger the whole Land to be brought to nothing, rather then your ſelves to moderation.* O, that they would bow down their ears in time, and embrace this counſell; then might they yet heal the ſores of this ſhaking *Land*; and ſave their own ſouls. But the blame and *danger* are layed upon thoſe, that leaſt deſerve it; that ſtood in the gap, as long as poſſibly they could, to avert Schiſme, Hereſie, Blaſphemie, Atheiſme, Rebellion, & bloodſhed. All which, ſince the *Biſhops* have been ſtripped of their honour and power, have overſpread the face of this Land.

17. Suppoſe, the *Biſhops* were faulty, ſhall God be turned out of his poſſeſſions, becauſe his ſervants are to blame? Mr. *Selden* can tell you of a *Charter* of King *Edgar*, which will teach you to diſtinguiſh between God and man; between Gods right, and mans fault. a *Inviolabilis ſtet Monaſterei Winton libertas*; b *Although the Abbot, or any of the Covent, through the incitement of Satan, fall into ſin, let the liberty of Wincheſter Monaſtery ſtand inviolable; becauſe* GOD, *who* POSSESSETH *the plentifull munificence of this privilege, as alſo the place, with the whole family of Monks, and all the lands belonging to that holy Monaſtery,* NEVER COMMITTED SIN, *neither will in future times commit any. Let therefore this* LIBERTY, *or privilege, be* ETERNALL, *becauſe* GOD THE POSSESSOR OF THIS LIBERTY *is eternall.* The ſame ſay all good men, for, though the *Biſhop* be faulty, God is not, cannot be. The poſſeſſions therefore, and *rights of the Church* muſt ſtand inviolable. The faults are the *Biſhops*, the lands are Gods. Let not God ſuffer for the *Biſhops* irregular behaviour. Let the *Biſhop* be deprived of his place and profits, but not God of his lands. c *Epiſcopatum ejus accipiat alter*, according to the Holy Ghoſts preſcription,

a In Cod. Edgari apud Selden. in Notis ad Eadmer. p. 159. n. 10.

b Etſi Abbas, vel fratrum aliquis, incitante Dæmone, reatus quippiam contraxerit; quia *Deus*, qui hanc privilegii largiſſuam donationem locumque cum universâ Monachorum familiâ, ruraque omnia ſacro ſubjecta cœnobio *poſſidet, nunquam rea tum commiſit*, nec ullo unquam tempore committet. Sit igitur præfata libertas æterna, *quia Deus hæreditatis poſſeſſor æternus eſt.* Ib.

c Act. 1. 20.

Let

Let another, a good man, *take his Bishoprick*, that Gods service may be duely celebrated, his Name glorified, and *Christs* flock faithfully provided for.

18. But say we, what can be said, the *Bishops* are to blame, and must be *brought to moderation*. And how must this be done? By being *brought to* just *nothing*. For, according to your doctrine, *Episcopacy* must be *abrogated*, and their *Lands alienated*. This we simple men take to be *extirpation*, or *annihilation*. But such discreet, conscionable men, as you are, know it to be but *moderation*. Should God return this *moderation* upon your heads, the *Presbyteriall Government* would come to, what it should be, even to *nothing*.

19. Well, their *wealth*, their *honour*, and their *miters* are in fault: and the *Bishops* must be corrected, for not laying down all these at this blessed Parliaments feet, to redeem the *Kings Crown*. Good *King*, he suffers for the *Bishops* obstinacy; and they, poore men, have parted with all, but what they may not part with, namely, their fidelitie to God and the King. Have you not alreadie dis-roabed them of their *honors?* Have you not plundred their houses, and seized their Lands? Have you not made them house-lesse, harbourlesse, not able to keep a servant? What would you more? But, let me tell you, your great Masters might have purchased better houses and lands at a cheaper rate. This they will be sensible of, when the accounts are cast up as well elsewhere, as at *London*.

20. The *Bishops wealth, honor, and miters* were your aim; these you have preached for, these you have fought for; what would you more? All these your Masters have, and the Crown to boot; and yet not quiet. Indeed all these thus gained will not afford a quiet conscience. That there may be some shew of legality, *y the King* must *get the* CLERGIES CONSENT, and the *Bishops* must *lay down their Miters*. And then 'twill passe for currant, that these Acts were passed by their own *consent*, and so no wrong done. *z Volenti non fit injuria*. True it is, undone they are without *consent:* but if they *consent*, they undo themselves, and wrong their souls. And a madnesse it were to be chronicled, if I should cut mine own throat, to save my enemie the labour. How then can I give away

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a Jonah 1. 12.

b Ambroſ. orat. in Auxent. de Baſil. tradend. ep. 1 5.

c Tradere Baſilicam non poſſum, ſed pugnare non debeo. Ambroſ. ep. 31.

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e Act. 5. 1, &c.

f Ib. v. 4.

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CHAP. XV.

Whether it be lawfull to take away the Biſhops lands, *and to confer them upon the* Presbytery.

h S. Luk. 23. 33.

1. THe Church at this preſent, is much like her h Saviour hanging between two theeves: but in ſo much the worſe caſe, becauſe neither of theſe are for our Saviour. One, the *Independent*, is wholly for ſtripping the Church of all ſettled maintenance: With him the *Miniſter* is to rely meerly upon the peoples benevolence. And reaſon good; for he is no longer a *Miniſter*, then it pleaſeth that Congregation. But the other, the *Presbyterian* is like the chough in the fable, that would faine prank up himſelf with other birds feathers. i The *Biſhops lands and revenues* muſt be *diverted*, & divided, to *maintaine Parochiall Paſtors*; ſo you call them. k *Sacriledge* you condemne; but *theſt* you like well of, ſo you and your fellow *Presbyterians* may be gainers. *Quocunq; modo rem*, is profitable doctrine; ſo you may have it, you care not, how you come by it, nor who ſmarts for it. l The *man of Jeruſalem* fel into *ſuch hands*.

i I.G. p. 6.

k Ib.

l S. Luk. 10. 30.

2. m *Prelacy* muſt be *aboliſht*; that's agreed upon. So far you go with your *Parliament*, but you are againſt *ſeizing of the Prelates revenues, to private, or civill intereſt*. That is, as I conceive, to any particular mans uſe, or for the ſervice of the State; as ye call it. I am juſt of your mind, and reſolve with you, that this *kind of impropriation could want neither ſtaine, nor guilt. Such* was that *in the dayes of K. Henry the eight*; which was deſervedly *cried out of, all the Chriſtian world over*. But *cry out* you and your Mr. *Beza* with your Stentorian voices, upon this n *deteſtable ſacriledge*, your good Maſters are reſolved upon the queſtion, and have expoſed the *Biſhops* lands to ſale. So they may have theſe *revenues* to diſpoſe of, they will venter *ſtain, guilt*, and curſe too, ſay what ye can.

m To *aboliſh Prelacy*, and ſeize the *revenues* of Prelates, to private, or civil intereſt, undoubtedly could neither want ſtain, nor guilt. Such kind of Impropriation as happened in the dayes of *H.* 8. was cried out of, all the Chriſtian world over. I. G. p. 6.

n Ib.

3. I muſt confeſſe, you would faine ſet a faire gloſſe upon this deteſtable act. You would have o *thoſe large revenues* (as you are pleaſed to call them) to be paſſed over from the Fathers of the Church, to the ſons of the Church; from the *Biſhops* to *Parochiall Paſtors*, or *Presbyters*. I call theſe *parochiall Paſtors*, ſons of the Church: becauſe, though they be called *Fa-*

o Who knows not the great deſect amongſt us, of congruous maintenance for *Parochiall Paſtors*, by whom the

thers

thers in respect of their Parishioners; yet are they but sons in respect of *Bishops*, from whom they have their orders, and by whom, as *Ministers*, they are begotten. For *Presbyters* have not power to ordain a *Deacon*, much lesse to ordain a *Presbyter*; as p hath been already manifested, & shall be more fully, if God give me life and leave, to examine the *Divine Right of Church Government*.

work of the Ministery is chiefly to be performed. I. G. p. 6.

p C. 4. & 5.

4. But since q *these revenues* must be *diverted*, or passed over from the *Fathers* to the sons, to *supply them with sufficient maintenance*, who shall make the conveiance? And when the conveiance is drawn with all the skill that may be, it is nothing worth, till the proprietary, the true owner give his consent, and confirme it. Desire you to know, who is the true owner? Look upon God, he hath accepted them, and taken possession of them; his they are by deed of gift. The Charters usually run thus; *Concessi, offero, confirmavi* DEO *& Ecclesiæ, I grant, offer, or confirme* TO GOD *and the Church*, such and such Lands, Mannors, or messuages. When they are thus offered, God accepts of the gift, and sets this stamp upon them, * *They offered them before the Lord*, THEREFORE THEY ARE HALLOWED. And again, r *Nothing devoted*, or *separated from the common use, that a man shall devote unto* the Lord (*whether it be man, or beast, or* LAND OF HIS INHERITANCE) MAY BE SOLD, OR REDEEMED: *every devoted thing is* MOST HOLY UNTO THE LORD. When it is once *seperated from common use*, it may no more return to common use; since (as your *Geneva Note* tells us) s *It is dedicated to the Lord* WITH A CURSE TO HIM, *that doth turn it to his private use*. And of this curse they have been sensible, that have turned it to such use. Observable therefore it is, that t this word, which we here translate *devoted*, or dedicated, *significat properly, destroyed, quia destructio imminet usurpantibus illa, because destruction* hangs over their heads, that usurp them. *Isa.* 7. 1. &c. We translate this word *accursed*: and u a curse fell upon *Achan* openly for meddling with the *accursed* or *devoted* silver, and gold, and a costly garment. God made *Achan* an example of his justice to all posterity, that so the dreadfull end of him and all his, might strike a terrour into

q If those *large revenues* of the Prelates were diverted to supply with *sufficient maintenance* all the defective Parishes in England, there *would be no danger of sacrilege* I. G. p. 6.

* Numb. 16. 38.

r Levit. 27. 28.

s Gen. note in Levit. 27. 21.

t Caiet. in Levit. 27. 28.

u Jos. 7. 25.

the hearts of all covetous perſons; that they medle not with that, which is *dedicated to the Lord.*

x Ib. v. 11. 5. *Achans* fault was, that x he clancularily *ſtole* it, and *diſſembled*, and *put it among his own ſtuffe*. But what you do ſhall be in publike, enacted by *Parliament*; and they ſhall not be *ſeized to private or civill intereſt*. Your purpoſe is to have them *diverted*, or ſettled upon your ſelves, and your fellow *Presbyters*, who are no *private* or *civill* perſons. Oh, no, you are the men, *by whom the work of the Miniſtery is cheifly performed*. And yet I cannot but obſerve, that here is a *diverſion*; and what is *diverted*, runs not in the right channel, it is enforced another way. But y *this* (you ſay) *will not be to ruine, but to rectifie the devotion of former ages, and turn pompe into uſe, and impediments into helps*. There needs no proofe for this, *Ipſe dixit*, Mr. *Geree* hath delivered this in the Pulpit; It is enough, ſo it come from him, who is ſo well skilled in *devotion*, and able to *rectifie former ages*. But I am none of your credulous followers; my faith is not pinned to your ſleeve. Indeed, to deale plainly with you, I am of another mind, and ſuppoſe, I have good reaſon for it.

y I. G. p. 6.

6. That *revenues* were very anciently ſettled upon the Church, can be no new thing to them, that are skilled in Councels, Fathers, and Church Hiſtory. But who were theſe lands ſettled upon? To whoſe truſt were theſe committed? z That *Conſtantine* ſettled revenues upon the *Biſhops*, is too too evident to be denyed. That the *Biſhops* had houſes and lands long before *Conſtantines* time, is manifeſt by the Councell of *Angur*, *Can.* 15. As alſo by that of a *Paulus Samoſatenus*; whom the Emperor *Aurelian* ejected out of the *Epiſcopall houſe*, after he had been deprived of his *Biſhoprick of Antioch* by a Councell of *Biſhops*. b In S. *Cyprians* time and writings we read that the Church was endowed with means. A little higher we may go in our own country, c we find King *Lucius* in the yeer of grace 187. ſettling poſſeſſions upon the Church.

z Euſeb. hiſt. l. 1. c. 35. Sozom l 1. c. 8.

a Euſeb. hiſt. l. 7. c. 24.

b Cypr ep 5. 6. 36 60. 61.

c Mat Weſtminſt. An Dom 187.

7. Neither were theſe means very ſmall; as ſome conceive. d S. *Auſtine* was a Gentleman well deſended, and had a faire eſtate left him. And yet he profeſſeth, that e the poſſeſſions of his *Biſhoprick* of *Hippo*, were twenty times more then the lands

d Poſſid. de vitâ Auguſt c 1.

e Aug ep. 225.

of

of his inheritance. And yet his was none of the richeſt *Biſhoppricks* in *Africk*. Such was the *devotion of former ages*.

8. Of theſe revenues the *Biſhops* had the profits; they did *f uti frui rebus Eccleſiæ* (as S. *Auſtin* ſpeaks) *tanquam poſſeſſores & Domini*; they were *Gods truſtees*; and yet *as poſſeſſors and Lords* they diſpoſed of the Church goods. g At his *See* the government of the lands and oblations belonged to him; but h to ſome of his Clergie he committed the charge both of the one and of the other. But ſo, that once a yeer at leaſt, he had an account from them, as from his Stewards. i At his charge, as it were, the *Presbyters* and other Clerks of that Church were fed and clad. Indeed k the lands and goods of the Church were ſo at the *Biſhops* diſpoſing, that the Steward might not diſtribute any of them, as he thought meet, but as the *Biſhop* directed him. This was not onely by cuſtome, but by Canon, that the *Biſhop have* τῶν τῆς ἐκκλησίας πραγμάτων ἐξουσίαν, *power to diſpoſe the goods of the Church upon the needie*. And l if it happened, that any of the lands were alienated, or ſold in the vacancie, it was in the ſucceeding *Biſhops* power to ratifie or make void the ſale.

f Aug. ep 224.
g Poſſid. de vitâ Auguſt. c. 23.
h Ib c. 24.
i Ib. c. 25. Concil. Antioch. can. 25.
k Cypr. ep. 38. & Concil. Chalced. can. 26.
l Concil. Antioch. can. 25. Concil. Ancyr. can. 15.

9. Neither did the *Biſhops* innovate any thing therein; they followed the ſteps of the prime and *Apoſtolick Church*; as is to be ſeen *Apoſt. Can.* 41. and in the *Acts*. There we read, that the Chriſtians, who were ſo charitably minded, m ſold their lands, or houſes, and *layed the prices thereof* (not at the *Diſciples*, not at the *Presbyters*, but) *at the Apoſtles feet*. After this indeed n the Diſciples chooſe out men of honeſt report, *full of the holy Ghoſt, and of wiſdom*, that might diſpoſe of theſe legacies to ſuch, as were to be relieved by the Church Stock. But this they did not of their own heads, but at the *Apoſtles* directions, who reſerved this power to themſelves. The text juſtifies it; o *Whom we may appoint over this buſineſſe*. So the Apoſtles. Hence is it, that S. *Paul* commanded *Timothy*, *Biſhop of Epheſus*, to take care, that the *Presbyters* be well provided for: p *Let the Presbyters, that rule well, be counted worthy of double honor*, of double maintenance. And to what purpoſe was this charge to *Timothy*, unleſſe he were to provide for the *Presbyters* of his Church? I am certain, that it is moſt conſonant to common

m Act. 4. 34. 35. 37. & 5. 2.
n Act 6. 3.
o Ib.
p 1 Tim 5. 17.

ſenſe,

q 2 Cor. 12. 14. ſenſe, Nature, and Scripture, that q *parents provide for their children*, and not children for the parents. And is it not reaſon, that he, who ſets the *Presbyters* on work, ſhould pay them their wages? But *Biſhop Timothy* was to ſet them on work;

r 2 Tim. 2. 2. r Thoſe things, that thou haſt heard (or learned) *of me*, *the ſame commit thou to faithfull men*, *who ſhall be* ABLE TO

ſ 1 Tim. 1. 3. TEACH *others*. And ſ *charge them*, *that they teach no other doctrine*

t 1 Tim. 6. 3. 5. then this. But if they do, what then? t *withdraw thy ſelf from them*. That is, eat not with them, let them not come to thy table, allow them no maintenance. What counſell the *Apoſtles* gave others, without queſtion they obſerved themſelves.

u 1 Cor. 5. 11. x 2 Joh. 10. But S. *Paul* commands, that u *we eat not with open and notorious ſinners*; and S. *John*, that we x *receive not* deceitfull Preachers *into our houſes*. The ſame rule then they obſerved themſelves. For

y Poſſid. de vitâ Auguſt. c. 25. in thoſe times y the *Biſhop* and his *Presbyters* did uſually live in the ſame houſe, and eat at the ſame table. In thoſe times the *Biſhops* provided for the *Presbyters*; but our ſtart up *Presbytery* will ſo provide, that the *Biſhops* ſhall have juſt nothing left them to relieve their own wants; all muſt be for Mr. *Presbyter*.

z I. G. p. 6. 10. And why ſo? Becauſe there are many z *defective Pariſhes in England*, which want *ſufficient maintenance to ſupply* their *Parochiall Paſtors* with. But from whence comes this *defect*, or want of maintenance? Surely not from the *Biſhops*, not from their greedineſſe, and wretchleſneſſe: but from that *deteſtable ſacrilege* (as *Beza* and you call it) which was by *Parliament* acted and ratified under the reign of King *Henry* VIII. At the *diſſolution of Abbeys* the *Appropriations* of Tithes were taken into Lay-mens hands; which heretofore were appropriated and annexed to this or that particular Religious Houſe;

a Ib.

b Prefat. de non temerand. Eccleſ. b Which houſe (according to Mr. *Spelman*) was the perpetuall incumbent Parſon of each of thoſe Rectories, and did duely officiate the Cure, by one of their own fraternity. Then were there few, or no *defective Pariſhes*. But upon theſe new Statutes the *Lay Appropriators* ſwept all into their own cuſtody and poſſeſſion. From hence ariſeth the want of *congruous maintenance*, in too many *Pariſhes*, for him, or them, that ſerve thoſe Cures. And ſhall *Biſhops* ſmart for it, when *Lay-men* have done the miſchief, and purſe up the profits? *Dat veniam corvis, vexat cenſura*

cenſura columbæ; when the *Laity* offends, the *Clergie* ſuffers. Is this Juſtice? But ſo the *Parliament* do it, it is with you [c] *valid in Law, though injurious*. But God and you are of ſeverall minds. [c] I. G p. 5.

11. Nay, if this be done, if *Biſhops* lands be removed to *Presbyters*, [d] *there will be no danger of ſacrilege*. How prove you that? [e] *This* (ſay you) *will not be to ruine, but to rectifie the devotion of former ages, and turn pomp into uſe, and impediments into helps*. This is ſomewhat like Cardinall *Wolſeys* pretence, who diſſolved fourty ſmall Monaſteries of ignorant ſilly Monks, to erect two goodly Colleges, for the breeding up of learned and induſtrious Divines. Was not this to *turn impediments into helps?* Lo, he removed lazie drones, that did little but eat, and drink, and ſleep; that ſo learned men might be provided for, who would labour in the Word and doctrine, and might be able to do Church and State good ſervice. Was not this as fair a pretence as yours, or as any you can invent? And how was this accepted of? God, that forbids theft, will no more endure the offering gained by *theft*, [f] then by *adultery*. One of his Colledges dyes in the conception; the other remains unfiniſhed to this day: and it pities me to ſee her foundations under rubbiſh. And a miſery it is to take into conſideration the ruine of this man, as alſo of that *King* and Pope, who gave him licence to commit this ſin. This attempt and grant opened a gap to the moſt profuſe *ſacrilege*, that ever Chriſtian Nation, before that time, had been acquainted with. And yet, for ought I find, by this particular *ſacrilege* there came no gain into any of their private purſes. [d] I. G. p. 6. [e] Ib. [f] Deut. 23. 18.

12. But, I beſeech you, what is the meaning of theſe words, *this will turn pomp into uſe?* What your intent is, perchance I may geſſe: but to take them according to the plain and literall ſenſe, I can make no other conſtruction of them, then this: *If the Prelates revenues were diverted, to ſupply with ſufficient maintenance all thoſe Parochiall Paſtors, that want congruous maintenance, this would turn pomp into uſe*. That is; that *pomp*, which the *Prelates* made no *uſe* of, the *Presbyterians* would *turn into uſe*. If this be not the Grammaticall ſenſe, I appeal to any rationall man. And their Eſſay in the *Divine right of Church*

govern-

government, ſhews what their proceedings would prove. I muſt confeſſe, ye have marvellouſly improved the *impediments, and turned them into helps*. For the power and *Juriſdiction of Biſhops*, which were the main *impediments* to Schiſme and Hereſie, you have covenanted to root up; and have brought in all the *helps*, that may be, to further irreligion, and *Atheiſme*. While the *Biſhops* had power, hereſies were *raræ nantes*, ſeldom ſeen, and ſuddenly ſuppreſt, if any ſuch crept in. But now they flowe in by ſhoals, and have Pulpits and Preſſes cloyed with them. Does not your own Mr. *Edwards* profeſſe, that never was there ſuch plenty of Sects and Hereſies? As many more in truth, as ever the Church knew in former ages. Onely, as g by *Julian the Apoſtata*, both Pulpits, and Preſſes are locked up to the *Orthodox*; no coming there for them, leſt perchance they infect the Auditories with ſound and Apoſtolike Doctrine.

g Theod. hiſt. l. 3. c. 11.

13. *Parochiall Paſtors* are moſt neceſſary men; *by them the work of the Miniſtery is* CHIEFLY *to be performed*. This is true, and not true. True in the Fathers ſenſe; not in yours. h In the Fathers ſenſe a *Paſtor* is a *Biſhop* ſtrictly ſo called, as by his Order he is differenced from a *Presbyter*; and *παροικία*, is no petty Countrey or Citie *Pariſh*; i it is a whole Citie, with the Precincts and Countrey adjoyning, which were under the juriſdiction of the Citie, and repaired thither for juſtice, if differences aroſe. With them *Parœcia* was the ſame, that a *Dioceſe* is with us. So a *Parochiall Paſtor*, in the ancient and Church ſenſe, is a *Dioceſan Biſhop*: and in this ſenſe, *the work of the Miniſtery is* CHIEFLY PERFORMED BY THE PAROCHIALL PASTOR. This *Paſtor* indeed can *perform* all Miniſteriall acts; divers of which are clean out of a *Preſbyters* power. And yet you ſay, that *by the Parochiall Paſtor*, who is with you but a *Presbyter*, *the work of the Miniſtery is chiefly performed*. Not ſo, my good brother not ſo, not that work, without which the Church cannot poſſibly ſubſiſt. And that is twofold; firſt k the *ordering* of the Church; and 2ly, *ordeining of Presbyters*. The *chief works of the Miniſtery*, according to St. *Paul*, are to [1] regular the Church, and to [2] beget thoſe, by whom the Sacraments may be adminiſtred, and abſolution

h Ignat. ad Rom. p. 250. Hieron. Damaſ. ep. 57, 58. Baſil. M. ep. 292. Cypr. ep. 3 n. 6. & ep. 38. n. 3.

i Concil. Antioch can. 9. 19. Chriſt. Juſtellus in cod. Eccleſ. univer. can. 88.

k Tit. 1. 5.

abſolution pronounced But theſe works may not, cannot be done by any, or many *Presbyters*. In your ſenſe therefore this propoſition is falſe.

14. But why *cheifly*? What, becauſe *Presbyters* offer up the prayers and ſupplications of the Church? Becauſe they are the uſuall Preachers, and diſpenſers of the Sacraments? Theſe indeed are the moſt uſuall and daily offices, and very neceſſary; but I dare not ſay, that by them theſe offices are *cheifly* diſcharged. What ſay you to that principle of reaſon, l *Propter quod aliquid eſt tale, illud eſt magis tale?* Eſpecially if it be ſuch an efficient or miniſteriall cauſe, without which, in the ordinary way, there can be no ſuch thing. But by a *Biſhop* a *Preſbyter* is made a Miniſter of theſe holy duties; & in the ordinary way, without him he could not be a *Presbyter*. The *Biſhop* then doth *cheifly performe the work of the Miniſtery*. The reaſon is, becauſe *illo mediante* by his means, or mediation, that is done, which without him could not be done. The work of *Juſtice* is *uſually* performed by the *Juſtice* of the ſeverall Benches. But I preſume, you will not ſay *cheifly*; that you will reſerve to the *Parliament*; ſince you have ſworne that to be m the *Supreme Judicatorie* of this Kingdome. And in this treatiſe you have concluded, that n *The Parliament is the Supreme Court, by which all other Courts are to be regulated*. And as all Courts are to be regulated by *Parliament*, ſo are all *Presbyters* to be guided by their own *Biſhop*.

l That, by, or for which, any thing is made ſo, is more ſo.

m Solemn League and Coven. n. 4.

n I. G. p. 9.

15. *Cheifly*, ſay you; *onely*, ſaith your *Ordinance for Ordination*; wherein you make the *Presbyter* the onely Miniſter. In your *Solemne League and Covenant*, ye reſolve and vow o the *extirpation of Arch-Biſhops and Biſhops*. And in both ye lay the whole work upon the *Presbytery*; as if they were the men, that could diſcharge all ſacred and Miniſterial duties. No ſuch matter; the contrary is manifeſted. Can any man imagine, that a common ſouldier, or an ordinary marriner, doth *performe the cheife work* in an army, or ſhip, becauſe they take the greater toile to the outward eye? No, no; it is the *Pilot* in a Ship, the *Colonel* in a Regiment, the *Admirall* in a Navy, and the *Generall* in an Army, that diſcharge the *cheife* duties. Without theſe there would be wiſe worke by Sea or Land. Every

o Sol. League & Coven. n. 2.

one, that can pull a gable, or manage an oare, is not fit to be a *Pilot*. Every man that can and dare fight, and charge with courage, is not fit to be a Commander. But the Church is both a *ſhip*, and an *armie*. And I dare ſay, that every one, that can talke laviſhly, or make a rhetoricall flouriſh in the Pulpit, is not fit to be a *Biſhop*, or Governour, in the Church of *Chriſt*. And yet q τούτου χάριν, *for this cauſe left I thee in Creet, that thou ſhouldeſt ſet in order the things, that are wanting, & ordain Presbyters in every City*. Theſe are the duties of a *Biſhop*; without which the Church will ſuddenly be out of frame, and crumble into nothing.

p I. D.

q Tit. 1. 5.

16. In a ſhip, or regiment, no man comes to ſit at the ſtern, no man attempts the *cheife* command, the firſt day; if he do, both ſhip and regiment ſuffer for it. No; they are trained up in their ſeverall profeſſions, and by degrees they riſe till they come to the higheſt. Thus was it in the ancient, and thus is it in the preſent Church. If any be ſuddenly raiſed to a *Biſhoprick*, it is ſeldom for the good of that *Dioceſe*.

17. But you and your fellow *Presbyters want congruous and ſufficient maintenance*; down therefore muſt the *Biſhops*; and their *Revennes* muſt be divided amongſt ſuch good *Paſtors*, as you are. The *Levellers* doctrine right; the *Nobility* and *Gentrey* have too much, & the godly of the land to little: all therefore muſt be ſhared, that *Jack* and *Tom* may have a *congruous maintenance*. If the great men of the Land will not yeeld to this, the Parliament ſhall be garbled, the *Nobility* and *Gentry* ſhall be turned aſide; and then look for a new *Covenant*, and a freſh extirpation. *Dukes* deſcend from profane *Eſau*; *Marqueſſes*, *Earles*, *Vicounts*, *&c.* are but heatheniſh titles, invented by the children of darkneſſe, and the children of light deſie them. What? Are we not all *Adams* ſons? Are we not brethren in Chriſt? Is it not fit, that we ſhould all have ſhare, and ſhare like, as had the children of *Iſrael* in the land of promiſe? As long as the Church onely was ſtrook at, it was well liked of; but now patience perforce, we muſt be leveled both in Church and State. We ſhall find, that there is ſuch a ſympathy between them in all Chriſtian Common-wealths, that they ſtand and fall, ſwimme and ſink together.

18. What? talke we of *Levelling*? That is enough to de-

ſtroy

ſtroy the State and face of a Kingdome. But in your project there will be *no danger*. How? *No danger? No danger*, (ſay you) *of ſacrilledge*. *No danger* in the ſubverſion of the Church? Surely this muſt be ruine to *Epiſcopacy*, and conſequently to the Church. For no *Biſhop*, no Church. r *Eccleſia enim ſuper Epiſcopos conſtituitur*; *for the Church is founded and ſettled upon Biſhops*. So S. *Cyprian*. Think not, that we exclude *Chriſt*. *Chriſt* it is that lay'd the foundation, and ſettled the Church ſo. And it is not for man to unſettle it, or to lay another, a new foundation. For other foundation can no man lay, then that is layed by *Jeſus Chriſt*. But ſ *we are built upon the foundation of the Apoſtles and Prophets*. And *Biſhops* and *Apoſtles*, are of the ſame order; they are one and the ſame. t *Apoſtolos, id eſt, Epiſcopos & Præpoſitos Dominus elegit*. So S. *Cyprian*, *the Lord made choice of* APOSTLES, THAT IS OF BISHOPS & *Prelates*. When therefore our Saviour founded the Church upon the *Apoſtles*, he founded it upon *Biſhops*. Who dare then after this foundation? He that endeavours it, doth not build, but deſtroy the Church.

r Cypr. ep. 27. n. 1.

ſ Epheſ. 2. 20.

t Cypr. ep. 65. n. 3.

19. Is there no *danger of ſacrilledge* in robbing father and mother? The *Biſhop* your father, and the *Church* your mother? For as in the Church you were born anew of water and the Holy Ghoſt; ſo if you be a *Presbyter*, as a *Presbyter* you have your being from a *Biſhop*; or elſe you have no ſuch being. But you return, that ye rob not the Church: for you intend, that theſe revenues ſhall be ſettled upon Church-men; that is, upon *Presbyters*. Suppoſe, you rob but one, but your *Father*, the *ſacrilledge* is deteſtable. For doth not the Lord ſay, u *Who ſo robbeth his father, or mother, and ſaith it is no tranſgreſſion; the ſame is the companion of a murtherer*. But to make the *ſacrilledge* more odious, I ſhall manifeſt, that ye have not onely robbed your *Father*, but your *Mother* alſo. The *Biſhop* your *father* is the huſband to his particular Church; If then you rob him of his meanes, who will ſucceed in his roome, and become an huſband to that Church? For though there be a thouſand *Presbyters* in a Dioceſe, yet, x if ſhe be without a *Biſhop*, that Church is a *widow*. So that great Councell of *Chalcedon*. Thus ye rob the *Biſhop* of his means, & that *Church* of her huſband.

u Prov. 28. 24.

x Concil. Chalced. can 25.

And wile a *widow*, ſhe can bring forth but a baſtard brood. Conſider that.

20. Upon theſe motives I muſt tell you, that if his Majeſtie ſhall gratifie either the *Parliament*, or the *Aſſembly*, in the *abolition of Epiſcopacy*, and in ſacrificing the *Church-lands* to your, or their ſacrilegious avarice, it will be ſuch y *a work, for which following generations* ſhall have juſt cauſe to *pitie*, & lament him, that ſo good a man ſhould either be cheated, or enforced into ſo foule a ſin. His children and the whole Kingdome would rue it; and the generations to come (unleſſe the world turn *Presbyterian*) will ſpeak of Him as of King *Henry* the eight: with this difference, that King *Henry* wilfully plunged himſelf into this ſin, and King *Charles* was driven into it by an Atheiſticall and bloody faction. But I am confident, his Majeſtie is ſeaſoned with better principles; he knows, it was z no excuſe for *Saul*, to confeſſe, that he had ſinned, *becauſe he was afraid of the people, and obeyed their voice*, not Gods directions. a This King knew Gods Word, & *rejected it*; God therefore *rejected him from being King*, and his ſeed from the throne. A lamentable caſe, to be frighted by a multitude, out of Gods favour, and the Crowne. But I hope, you have no *Saul* in hand: Our good Kings Crowne you may cauſe to totter, but not his reſolution. Ye may, and have robbed him of his Prerogatives, revenues, and liberty: but you cannot impriſon, or force his conſcience, that will injoy her ancient priviledges, & freedome; and theſe *diſaſters* ſhall *end* in a Crowne of glory. His memory ſhall be honoured in our Annals, and his poſterity flouriſh in theſe thrones. Amen, Amen.

y A work, for which following generations ſhould not need to pity the King, as put upon it by misfortune: but riſe up, and call him bleſſed, whoſe many other diſaſters ended in ſo good, and ſo uſefull a work. I.G.p 6.

z 1 Sam. 15. 24.

a Ib. v. 26.

CHAP. XVI.

How far forth the King *ought to protect the* Church *and* Biſhops.

1. IT is confeſſed to my hand, that b *the King is ingaged to his power, to protect the Biſhops*, and their priviledges; *as every good King ought in right to protect & defend the Biſhops & Churches under*

b You ſee the ingagement put upon the King, is but *to his power*: as every

under their Government. Reaſon requires no more; and Religion requires ſo much. For by that God, whom we ſerve, *Kings* are made Guardians, and c *nurſing fathers* to the Church; and by the ſame God *this ingagement is put upon them.* Not by man, not d *by the Author*, as you ſeem to intimate; nor yet by the *Biſhops*. One of the *Biſhops* indeed, in the behalfe of his brethren, and the whole Clergie, humbly *beſeecheth* his Majeſtie to *protect and defend to them, and to the Churches committed to their charge, all Canonicall priviledges, and due Law and Juſtice.* The King *with a willing and devout heart premiſeth, to be their protector, and Defender to his power, by the aſſiſtance of God.* And afterwards at the Communion table, he makes a ſolemne Oath, upon Gods own book, to obſerve the Premiſes. This *ingagement* then is not *put upon the King*, but *with a willing heart* he takes it upon himſelfe; acknowledging that he *ought* to do ſo, if he be a *good King.* Yea, (ſaith Sir *Edward Coke*) e *the King is bound and ſworn to the obſervation and keeping of Magna Charta.* His Majeſtie then is but intreated to do, what he is *ſworne and bound* to do. And ſince *ſworne and bound*, he may not with a ſafe conſcience give them up to the f *wild boares of the forreſt to root up* the plants, or ſuffer the *wild beaſts of the field to devour this Vine*, g *which the Lords right hand hath planted.*

good King *ought ought* to protect and defend the Biſhops & Churches under their government.

c Iſa. 49. 23

d I anſwer from the expreſſions in the Oath it ſelf, as they are ſet down by the ſame author. I.G. p. 8.

e Sir Ed. *Coke* proem. in Mag. Chart.

f Pſal. 80. 13.
g Ib. v. 15.

2. That h the King is bound *no further* to exerciſe *his power* in the protection of the Church, *then he can do it without ſinning againſt God*, is moſt undoubtedly true: and it were not the part of a Chriſtian to deſire more. For we know, that i the King receives his power from God, which is to be uſed, not againſt, but for God. Not to *protect the Church to his power*, is to break his Oath, it is to deſert that truſt which God hath committed to his charge: and is not this to *ſin againſt God?* In the diſcharge of this dutie, he is ſo far from *being injurious to the reſt of his people*, that if he ſhould forbear it, it would prove the greateſt miſcheife, that can be imagined, *to his people*, and to their poſterity, in their ſoules, in their eſtates; and a perpetuall infamie to this Nation. I need not prove it now, it is already done, Cap. 8. *Sect* 10. 11. &c.

h Such power is no further, then he can do it, without ſinning againſt God, and being injurious to the reſt of his people. I.G. p. 8.
i Rom. 13. 1. 4.

3. That k his ſacred Majeſtie *hath interpoſed his Authority for the Biſhops, & put forth all the power he hath to preſerve them*, is that which

k When he hath interpoſed his authority for

them, and put forth all the power he hath to preſerve them: he hath gone to the extent of his power, and *as far as good Kings are bound in right.* I.G. p. 8.

which vexeth your confederacy. And yet you cannot deny, but that *every good King is bound in right* to do ſo. What we *ought to do*, is our bounden duty; and what we *do in right*, is juſtly done. Oh, that this had been done in the right time. Indeed he is not onely *bound*, but he finds it more then neceſſary to *protect and preſerve* them; for in *protecting* them, he *protects* himſelf, his throne, and his poſterity. Alas, he was ſtrook at thorough the *Biſhops* ſides. His wiſe Father deſcried this long ſince, *l No Biſhop, no King.* What the Father ſpake, his Sonne our good King hath found true by woefull experience. His *Crowne* hath ſunke with their *Miters.*

l Confer. at Hampt. Court. p. 36.

4. Well, by your own confeſſion, what our gracious *King* hath done, is *right*, and what *good Kings are bound to do, to the extent of their power.* Thus our good *King* is juſtified by his enemies, as m our Saviour was by *Judas.* If his *Majeſtie* have endeavoured to do that, which is *right*, what are they, that have hindered him from doing it? Have not they done *wrong?* How can they excuſe themſelves before God or man, that have ſo manacled our betrayed *Soveraigne*, that he cannot do, what *good Kings are bound in right* to do? Is this to be *good?* Is this to be juſt? Then have all the Saints of God been utterly deceived.

m S. Mat. 27. 4.

n If after all this he muſt let them fall, or ſupport them with the blood of *his good Subjects.* I.G. p. 8.

5. n *If after all this He muſt* perforce *let the Biſhops fall*; you and your *Schiſme* have much to anſwer for, that have driven him to this neceſſity. You ſeem to pitie *his good ſubjects*, who *with their blood* have endeavoured to *ſupport Epiſcopacy.* Their ſwords were not drawn to maintaine this Government, or the Religion eſtabliſhed; they never learned to fight for Religion. What they did, was done in ſubmiſſion to his Majeſties juſt commands, and to manifeſt their allegiance. But if theſe be *good*; that have indangered their lives to uphold *Biſhops*, what are they, I beſeech you, that have ſpent their *blood* to root them out? Surely in juſtifying the former, Mr. *Geree* hath condemned the latter; and when the waſpes find it, he muſt look to his eares:

o And thoſe unwilling too, to ingage their liues for the *other privileges.* I.G. p. 8.

6. I muſt confeſſe, it is an hard caſe for one man to o *ingage his life* for the maintenance of *other mens privileges.* But who did ſo? Not a man *ingaged* himſelf; but the Kings command

mand, the Oath of Allegiance, and the Laws of the Land *ingaged* every good Subject, to assist his *Soveraign* to the utmost. The *King*, according to his *Oath*, endeavoured to maintain the Laws of the Land, to protect the Members of both Houses driven from *Parliament*, to *support the Bishops*; and to suppresse those seditious and sacrilegious persons, which plotted and covenanted the ruine of Religion, root and branch. Though much the greatest part of the *Nobility*, *Gentrie*, and learned in the Law, were deservedly moved to see *Majestie* dethroned and blaspheмed; Religion spurned at, and vilified; the Fathers of the Church scandalized, and persecuted; the Laws of the Kingdom, and liberties of the Subject sleighted, and trampled on; yet not a man of these took up the Sword, till he was commanded by him, to whom the Laws of the Land, and the Word of God have committed the power of the Sword. This may not be called backwardnesse, or *unwillingnesse*, but pious discretion, which ever waits upon the *Soveraigns* call. When therefore His *Majesty* had set up his Standard, I may truly say, p the *governors of* our *Israel offered themselves* WILLINGLY *among the people*; they did the King service to the utmost. Had there not been a backdoore to let in a forrein Nation, to divide the *Kings* forces; had not some of q *the Nobles of Judah* conspired with *Tobiah*, held intelligence with him, and acquainted him with *Nehemiahs* secrets, there never had been so many Thanksgiving dayes, nor so much boasting, that God prospered the cause. God suffered *David* his own chosen servant, *his anointed*, and a man after his own heart, to be hunted as a Partrige upon the mountains, to be frighted from his throne, and to live like a forlorn man; and yet in his good time he restored him to his Scepter in peace, and subdued the people to him.

p Jud. 5. 9.

q Nehem. 6. 17. 18. 19.

7. And whereas you term them *others privileges*, as if they concerned no man but the *Clergie*; I dare boldly say, they concern every man, as he is a member of this Church and Realm. r *If we have sown unto you spirituall things, is it a great matter if we reap your carnall things?* And if we *reap* not *your carnall things*, how shall we *sowe unto you spirituall things?* This is worthy of consideration; unlesse you have layed aside all care of

r 1 Cor. 9. 11.

the

the ſoul. Have we ſome *privileges*, that the *Laity* have not? They are not ours alone; they are every mans, that enters into *Orders*. And *Orders* are indifferently propoſed to all, of all families whatſoever, ſo they be ſufficiently qualified. High and lowe, noble and ignoble have reaped the benefit of theſe *privileges*. I have known ſome of high birth in Orders; and ſome of good rank, that have taken Sanctuary under a *Prieſts* coat. And we read of [f] a young man *of the tribe of Judah*, of the moſt remarkable family, that was glad to turn *Prieſt*, and to [t] ſerve by the yeer for ten ſhekels of ſilver, a double ſuit of apparell, and his victuals. If then our Calling ſuffer, all families ſuffer in it, and with it.

f Jud. 17. 7.

t Ib. v. 10.

8. But what if the Laws of the Land, what if *Magna Charta* do oblige *all men* to ſtand up for the due *obſervation of theſe privileges?* If ſo, then muſt every man readily acknowledge, that *all good Subjects* are bound to obey His Majeſtie, when he commands that, which the Law requires. View we then the words of that *Great* and juſtly magnified *Charter*, which are theſe. [u] *Reſerving to all Arch-biſhops, Biſhops, Earls, Barons, and all perſons, as well Spirituall as Temporall, all their liberties, and free cuſtomes, which they have had in times paſt. And all theſe cuſtomes and liberties aforeſaid, which we have granted to be holden within this our Realm; as much as appertaineth to us and our Heirs, we ſhall obſerve. And* ALL MEN *of this our Realm, as well* SPIRITUALL AS TEMPORALL (*as much as in them is*) SHALL *likewiſe* OBSERVE THE SAME, AGAINST ALL PERSONS. Mark that: are we not all, both *ſpirituall and temporall*, bound to maintain each others *privileges, as much as in us lies?*

u Mag. Charta c. 37.

9. I know, you will return, that *Abbots* and *Priors* are provided for by the ſame Law; and yet they have ſince been taken away by *Act of Parliament*. I confeſſe it: but I ſhall deſire you to obſerve in the firſt place, how they proſpered, that were the contrivers and procurers of that Act. 2ly, I cannot but take notice, that you with your Maſter *Beza* call that diſſolution [x] *deteſtandum ſacrilegium, deteſtable ſacrilege*, and *ſuch as was cried out of all the Chriſtian world over*. It is not therefore to be drawn into preſident. 3ly, conſider, I pray you, that [y] they who did ſo, are ſtiled *Enemies of our Soveraign Lord the King*

x I. G. p. 6.

y 25. Ed. 3.

King, and his Realm. 4ly, that great * *Councell of Chalcedon*, consisting of above 600. *Bishops*, resolves, that no *Monastery*, consecrated with the *Bishops* liking, may be turned to a secular dwelling. And those that suffer any such thing, are lyable to the Canonicall censures. 5ly, you will, I hope, make a difference between our Saviours institution, and mans invention. *Bishops* are of our Saviours own institution, but *Abbots* and *Priors* are titles and orders of mans invention. And yet z *hospitalitie, and alms, and other works of charity, for which these fraternities were erected*, failed much with them. How those means were imployed, I shall not enquire; but I am certain, that good and pious men have wished, that the abuses had been pruned off, and that the lands had been disposed of according to the Doners intentions. This indeed had been pietie, not sacrilege.

* Concil. Chalced. can. 24.

z Statut. de provisor. 25. Ed. 3.

10. How oft have the Kings of this Realm ingaged themselves to observe *Magna Charta*, and to maintain the rights and liberties of the Church? Are not these the words of the Statute, a *We take the Prelates and Clergie with their possessions, goods, and chattels* INTO OUR SPECIALL PROTECTION AND DEFENCE? The Princes of this Land have bound themselves strictly to keep this *Great Charter*; and have provided, that if any other shall do, or procure to be done, any thing contrary to this *Charter*, it is to be accounted void, as soon as procured. Take the words of the *Charter*. b *We have granted unto them* (the Spirituall and Temporal persons of this Realm) *on the other part, that neither we, nor our Heirs shall procure, or do any thing, whereby the liberties in this Charter shall be infringed, or broken.* But suppose, they shall make any such grant through ignorance, wilfulnesse, or evill counsell, shall it be of force? The Law saith, no. For it follows immediately; c *And if any thing be procured* BY ANY PERSON *contrary to the premisses, it shall be holden* OF NO FORCE, NE EFFECT. You and your great contrivers, what have ye laboured for, all this while? What have ye fought for? what have ye shed so much blood for? For wind, nothing but wind. For all the *Westminster Orders* and *Ordinances* contrary to this *Charter*, *shall be holden of no force, ne effect.* You had best then

a Stat. of the Clergy. 14. Ed. 3. 1

b Mag. Charta. c. 37.

c Ib.

keepe your paper for a more neceſſary uſe.

d I.G. p.8.

11. And yet you tell his Majeſtie, that d *it is not equall to ingage the lives of ſome to uphold the honour of others.* Is it *equall* then, I beſeech you, to *ingage the lives of ſome*, to deſtroy the *honour* and eſtate of *others?* All this while you have been on the deſtructive part, all for rooting up, what the Lords right hand hath planted, and for alienating the Lords inheritance. And that ye might effect, what ye have ſubtilly projected, ye have *ingaged the lives of many*, who were very unwilling, *to uphold the honour of ſome* at *Weſtminſter*, that had overlaſhed, & ran themſelves upon dreadfull rocks. I would to God, the Commons of this Kingdome would lay it to heart, how e *cruell* ye have been *to many thouſands to be indulgent to a few, to uphold the honour of a few.* Conſider, how *many thouſands* in *England* and *Ireland* have been plundered, ſequeſtred, impriſoned, maimed, and murdered, becauſe they would not ſubmit to the illegall, unjuſt, and irreligious decrees of the men at *Weſtminſter*. A compleat *Mercurius Ruſticus* will make after ages ſtand amazed, and their hearts bleed within them, to conſider, that ſuch a Nation as this, ſo bleſſed with peace and plentie, ſhould be ſo miſerably deluded, as to undoe themſelves willfully, and ſheath their ſwords into one anothers bowels, to ſave a Lord and five Members from tryall by Law.

e That were to be cruel to many thouſands, to be indulgent to a few, I. G. p. 8.

12. That you may perſwade us, ſome way or other, that the King ought to give up the *Biſhops*, and their lands, ſince he hath hitherto protected them to the utmoſt of his power, you argue by ſuppoſition. f *Suppoſe* (ſay you) *a King put a Commander into a City, and give him an Oath to maintaine the priviledges of it, and keep it for him to his power: and this Commander keeps this Towne, till he have no more ſtrength to hold it, unleſſe he force the Townſmen to arms, againſt the priviledge, which he hath ſworne to maintaine.* Well, what then? *If this Governour now ſurrender this Towne upon compoſition, doth he violate his Oath?* Thus far Mr. *Gerees* queſtion: what think you of it? What any man thinks, is no matter; g Mr. *Geree thinks none will affirme it.* And I think, there be many, that *will affirme it*; and I am one of that number. Good Lord, to ſee, how Mr. *Geree* and I differ in opinion! His is but *thought* without proof, but I ſhall give you reaſon for what *I think*, and ſay.

f I. G. p. 8.

g I think, none will affirm it. I. G. p. 9.

13. I

13. If this *Caſuiſt* ſpeake to purpoſe, as he ought, he ſpeaks of a *King* of this Realme; and no town within this Realme hath any ſuch *priviledge*, as not to bear *armes* againſt the Kings enemies; or not to *keep it* for his Majeſtie, to the utmoſt of their power. The reaſons are theſe; Firſt, [b] theſe are the *Kings Dominions* and Countries. 2ly, Theſe *Towns and Cities* are part of theſe Dominions. 3ly, The inhabitants and Citizens thereof are his Majeſties ſubjects. 4ly, [i] *All lands and tenements are holden either mediatly, or immediatly of the King.* 5ly, This *Citie* or *Towne* is the Kings; otherwiſe how could he *put a Commander into it, and give him an Oath to keep it for him?* I ſpeake of *Towns* within theſe his Majeſties Dominions, which in all writings are called the *Kings Cities*, Counties, and Towns. 6ly, It cannot be imagined, that the Kings of this Realme would grant any priviledge deſtructive or dangerous to their owne ſafety. And we muſt take notice, that [k] *All Liberties at the firſt were derived from the Crown.* Adde hereunto the ſeverall Acts of Parliament, wherein the Peers and Comminalty confeſſe themſelves *to be bound, and make faithfull promiſe, to aide their Soveraigne at all ſeaſons; as alſo to aſſiſt and defend his, or their, rights, and titles, to the utmoſt of their power, and therein to ſpend their bodies, lands and goods, againſt* ALL PERSONS, *whatſoever.* But new Lords, new Laws; and theſe Statutes are out of date.

[b] Mag. Charta, c. 37, 38.

[i] Sir *Ed Coke* in Littleton. l. 2. Sect. 139.

[k] Sir *Ed Coke* in Mag. Charta. c. 1.

[l] Statute of *Armour.* 7. *Ed.* 1. & 1. *Eliz.* 3.

14. By this time, I hope, you ſee, that no townſ-men have any ſuch *privilege*, as to refuſe to bear arms in the Kings behalf. But they are bound by their allegiance, and the Laws of this Land to keep thoſe Towns for his Majeſtie, & to defend them with all their might againſt his foes. If then the inhabitants ſhall be backward, the *Commander* ought *to force them to armes:* and if he do it not, *he violates his Oath*, and the Townſ-men their fidelity. And now you may tell your freind, that helped you to this *ſuppoſition*, that he is no skilfull Apprentice at Law. If then [m] *the Kings caſe be ſuch in this particular*, his Highneſſe may not recede from his Oath, nor do any thing contrary thereto.

[m] Such is the caſe with the King in this particular. I. G. p. 9.

15. Though this may ſeeme reaſonable to ſober men, yet [n] *the onely objection (as you conceive) which lyeth againſt this, is; that though it be not in the Kings power to uphold them, yet it is in his*

[n] I. G. p. 9.

power not to consent to their fall. Though this be not the *onely*, yet is it a just *objection*, or rather a resolution; which being rightly harkned to, will preserve the King from sin in this particular. For how ever you are so uncivill with his Majestie, as to call it o *peremtorinesse* in him to *deny assent to the fall, or abolition of Episcopacy*; yet such as are learned to sobriety, know this to be Christian prudence, and true fortitude, p not to fear them, that can imprison him, that can rob him of this earthly Crowne, and slay his body, but to stand in aw of him, that can slay the soul, that can deprive him of his heavenly Crown, and cast him into the infernall pit. Oh, q *'tis a fearfull thing to fall into the hands of the living God*; we are not therefore to be threatned, or frighted into sin. These things you can presse violently in the Pulpit, but now you are beside both Pulpit and text, beside modesty and truth. It is Justice, Religion, and courage, not *peremtorinesse*, to *deny* the least *assent to sin*. That it is sin to yeeld to, or confirme the *abolition of Episcopacy*, is already manifested *C.* 4. 6. Since it is to destroy an Ordinance of *Christ*; which cannot be done without sin.

o If the King should be *peremptory* in deniall, what help would this be to them? Such *peremptorinesse* in this circumstance might indanger his Crown, not save their Mitres, I. G. p. 9.

p S Mat. 10.28.

q Hebr. 10.31.

16. However then he may *indanger his own Crown, not save their Mitres*, yet he shall be sure, by *denying assent*, to save his own soul: for r *without consent no sin*; and without sinne no damnation. s A woman ravished is free from fornication, because she assents not, but is really enforced; and yet t he, that commits that sin upon her, must die for it. This is the Kings case right: if he yeeld not, this is a rape upon his power, no sin in his person, since no assent. Hence is it, that Idolatry and Oppression in Scripture are charged upon Kings; because their assent makes a Law. Without the Kings affirmative every Ordinance imposed upon the people is not *Law*, but *Tyranny*; since it is not *legally* but *arbitrary*. Our brethren of *Scotland* say as much. Take their words. *There can be no Law made, and have the force of a Law without the King.* Declaration of the Kingdom of *Scotland. p.* 19.

r Vsq; adeò peccatum voluntarium malum est, ut nullo modo sit peccatum, si non sit voluntarium. Aug. de vera Relig c. 14.

s Deut. 22 26.

t Ib. v. 25.

17. That u *it is in his Majesties power*, or *not in his power to deny assent to the abolition of Bishops*, is most certainly true. But we must learn of you to distinguish between a *naturall* and a *morall sense*; and then we shall find both true, that *he can*, and

u Though it be in his power to deny assent to their abolition, in a naturall sense, because

he

he cannot deny consent. In a naturall sense he may, but in a morall sense he may not. In a naturall sense he may; because the will cannot be inforced. In a morall sense it is not in his power; because he cannot now deny consent without sinne. So it is, and it is not in his power, or rather as S. *Austine* speaks, u *In potestate est, quod in voluntate esse non debet: That is in our power, which ought not to be in our will*; x The King then hath it in his power to yeeld, or not to yeeld; because he may do, which he pleaseth. The book of God stands by, and adviseth him to do that, which is right in the sight of God, proposing blessings if he do so; and menacing curses, if he shall do any thing contrary to Gods revealed will. And all this while it doth but instruct & perswade him to do, what he ought and may, when he will. This then being in the *Kings power*, he must take heed, he incline not to sin.

Voluntas non potest cogi; yet it is not in his power in a morall sense, because he cannot now deny consent without sin. I. G. p. 9.

u Aug. de Fide cont. Manich c. 9.

x Hoc habemus in potestate, quod cum volumus, possumus. Aug. cont Maximin. l. 3. c. 14.

18. I cannot but resolve, that to forsake the *naturall sense*, if good, is to be unnaturall. To renounce the *morall sense* is against good manners, and the morall Law. If therefore both senses may be kept, we are to preserve them both safe. With confidence therefore, I speake it, that it is not onely in his power, but * it is his dutie to be Master of his *negative voice*, and to *deny consent*. If he *deny consent*, he does his dutie, & observes his Oath. If he yeeld assent, he breaks his oath, and failes of his dutie. And this will prove no lesse then sin. I have already demonstrated, that *Episcopacy* is agreable to the word of God, and that it is the Institution of *Christ* himself. It is sinne therefore to *abolish* it, or to *consent* to the *abolishing* thereof. You neither have, nor can justifie the contrary out of holy writ, or from the ancient and Apostolike Church. And yet the *Observations upon the Ordinance for Ordination* have been extant in Print above these three years. But you and your *Assembly Rabbines* take no notice of it, because you have not what to say against it.

* Far are we from taking away his *Negative voice*. Exact Collect. of Remonst. & Declarat. p. 727.

19. But though you have neither Scripture, Councels, nor Fathers, for the *abolishing of Episcopacy*, yet you have reason grounded upon policy, to worke his Majestie to yeeld to this *abolition*. For (say you) *he cannot now deny consent without sin*. It seemes then, he might, *without sin deny consent* heretofore: but not *now*. And why not *now*; as well as heretofore? Because

(say

x I.G. p. 9. (ſay you) x *if he conſent not, there will evidently continue ſuch diſtraction and confuſion, as is moſt repugnant to the weale of his people; which he is bound by the Rule of Government, and his Oath to provide for.* Thus ſin ſhall vary at your pleaſure: *ſin* it ſhall be *now*, that was none heretofore. That ſhall be *ſin* in King *Charles*, which was vertue and piety in Queen *Elizabeth*, and all their religious anceſtors.

y Rom. 4. 15. 20. y *Where no Law is, there is no tranſgreſſion.* Before then you prove it to be a *ſin*, you muſt prove it to be againſt ſome *Law* either of God or man. Not againſt the Law of God; that's already proved. Not againſt the Law of man; ſince no man can ſin againſt that Law, to which he is not ſubject.* *The Laws are the Kings*; he gives Laws to his ſubjects, not his ſubjects to him: and we know no Law of his againſt *Biſhops*. Indeed the Laws of this Land are ſo far from the extirpation of *Biſhops*, that z *the fundamentall Law of this Kingdom approves of them.* They then that are enemies to *Biſhops*, are enemies to the *fundamentall Law* of this Kingdom. And what is *fundamentall*, is in and of the foundation. If then a Law be made to *extirpate Biſhops*, it grates upon the *foundation*, it is againſt the fundamentall Law of this Realme, & it contradicts that Law of Laws, the word of God. Beſides, we are aſſured by that learned in the Law, *Juſtice Jenkins* a that it is *againſt the Kings Oath, and the Oaths of the Houſes, to alter the Government for Religion.* But an *alteration* of this *Government*, muſt neceſſarily follow upon the *abolition of Epiſcopacy*. Yea with *Biſhops*, not onely the Church and Religion will be ruined, but the very Government and Laws of the Kingdom will be ſo confounded, that the learned in the Law will not know, where to find Law. They muſt burn their old books, and begin the world upon the new model. All this will amount to no ſmall ſin; it will be to the ſhame of this Land; to the ruine of thoſe two noble profeſſions, *Divinity* and *Law*; and to the common miſery of the people.

* Declarat. of the Kingd. of Scotland. p. 19.

z Lex terræ. p. 14.

a Ib. p. 29.

21. Theſe reaſons premiſed, I ſhall juſtly return your own words upon your ſelf, in this manner. *It is not in the Kings power to conſent to the abolition of Epiſcopacy, becauſe he cannot now yeeld conſent without ſin. For if he conſent, there will evidently follow*

ſuch

ſuch diſtraction and confuſion, as is moſt repugnant to the weal of his people; which he is bound by the Rule of Government, and his Oath to provide for. I ſay ſo, and true it is; becauſe it is evident to every diſcerning eye, that there are as many, and thoſe more conſiderable, that are cordially for *Epiſcopacy* and *Common Prayer*, as are againſt them. Indeed they are not ſo factious, ſo mutinous, and bloody as the other. What multitudes are there in this Kingdom, that mourn and grieve to ſee Religion ſo oppreſt, ſo trampled on, and almoſt breathing out her laſt? In truth it is palpable, that theſe ſeditious and irreligious courſes have ingendred, and propagated, and will *continue ſuch diſtraction and confuſion* in Church and State, *as is moſt repugnant*, not onely to the preſent, but to the eternall *weal and ſalvation of his people*: both which *he is bound to provide for*, but more eſpecially for the later.

22. And whereas you ſay, *Such diſtraction and confuſion will continue*, unleſſe *Epiſcopacy* be aboliſhed; it ſeems, you are reſolved to *continue* theſe *diſtractions*. But, God knows, and your words teſtifie, that it is not the calling or the office of a Biſhop, that is offenſive; it is [b] *their honour, and their wealth*, which you aim at; [c] theſe, with *their revenues* muſt be ſhared amongſt you of the Presbyterian faction; and then all ſhall be well. Till then we muſt look for nothing but fire and ſword. Hence it evidently appears, that neither *Epiſcopacy*, nor the *Kings diſſent*, but your *ambition* and *avarice* have been the true cauſe of theſe *diſtractions* and combuſtions. [d] Such a ſedition as this there was in the time of *Moſes* about the *Prieſthood*; becauſe every man might not ſacrifice, as, when, and where he pleaſed. Becauſe *Corah* might not wear a *Miter*, and go into the *moſt holy place*, as well as *Aaron*. And yet who dares ſay, that the *Prieſthood* was the cauſe of thoſe uproars?

23. That inſurrection was againſt *Moſes* and *Aaron*, againſt *Prince* and *Prieſt*: but againſt the *Prince* for the *Prieſts* ſake; becauſe the *Prince* would not endure, that every one ſhould meddle with the *Prieſts office*, or ſtrip him of his means and honour. That conſpiracie was linſie-woolſie, loomed up of *Clergie* and *Laitie*. *Korah*, the ſon of *Levi* was the ring-leader; and [e] with him two hundreth and fiftie of his own Tribe. To theſe

[b] I hope they will not be ſo tenacious of *their wealth and honour*, as to let the Crown run an hazard, and indanger the whole Land. I.G p.5.

[c] That the *revenues* be divided to maintain a preaching Miniſtery. I.G.p.4.

[d] Num. 16.2.

[e] Num. 16,16,17. 35.

f Ib. v 2. these were joyned f *Dathan* and *Abiram*, great *Princes, and men of renown*; such as were eminent in blood, and of the tribe of *Reuben*. And was not the crie the same then, that is now?

g Ib. v. 3. g *Moses and Aaron, Prince* and *Priest, ye take too much upon you, seeing all the congregation is holy, every one of them, and the Lord is among them; Wherfore then lift ye your selves above the congregation of the Lord?* The *Prince* and *Priest* did but their duty; and yet are obbraided with *pride*. God raised them to their places; and they are charged to *raise themselves*. But *Moses* justly retorts upon them, what they had falsly cast upon him; h *Ye take too much upon you, ye sons of Levi.* What? i *Is it not enough for you, that God hath separated you from the multitude, that he hath taken you neer himself, to do the service of the Lords tabernacle, but you must have the Priests office?* But you must be k offering incense, as well as the *High Priest?* The *Priest of the second Order* would needs be equall with the *chief Priest*, the *Priest of the first Order*. And is it not so now? Have we not just cause to say to you, *Ye take too much upon you, ye Presbyters, ye sons of Bishops.* What? Is it not enough for you, that *God hath separated you from the multitude, that he hath taken you neer himself, to do the service of the Lords house*, and to administer the Sacraments; *but you must have the Bishops office? But you must be giving Orders, as well as the Bishop?* Surely this is to assume that power to your selves, which God never committed to any *Presbyter*, while a *Presbyter*.

h Ib. v.7.

i Ib. v. 9. 10.

k Ib. v. 40.

24. Last of all, I cannot but observe, that when the Lord had punished these schismaticall and seditious persons, l the tumult ariseth afresh against *Moses* and *Aaron*; they cry out upon them as m *murderers*, as if these two had slain *the people of the Lord:* for thus they call that factious and damnable crue. But the Lord decided the controversie, and shewed manifestly, who were His; first n by consuming the mutineers with the plague; and secondly, by causing o *Aarons rod*, when it seemed to be quite dead, to revive, even to bud, and blossom, and bear fruit in the *Tabernacle*. p Thus the mouthes of the *rebellious Children* were stopped, and Gods Ordinance justified. q *Oh, that salvation were given unto Israel out of Sion: Oh, that the Lord would deliver his people out of Captivity.* Oh, that we

l Ib. v. 42.

m Ib. v. 41.

n Ib. v. 49.

o Numb. 7 8.

p Ib. v. 10.

q Psal 54 7.

might

might ſee *Aarons rod* once more bud, and bloſſom, and bring forth Almonds. r *Then ſhould Jacob rejoyce, and Iſrael ſhould be right glad.* r Ib. v. 8.

CHAP. XVII.

Whether there be two Supremacies *in this Kingdom.*

1. IN this Treatiſe ſ you blame thoſe, that ſeem to *ſet up two Supremacies*; and yet you cannot ſee the ſame beam in your own eye. You are of kin, ſure, to thoſe *Lamiæ*, thoſe witches, that were blind at home, but quick-ſighted abroad. Thou, that findeſt fault with another, doeſt the ſame thing. For do not you ſay plainly, that t *there's a Supremacie in the King, and a Supremacy in the Parliament?* I hope, you know your own language. *Clodius accuſat.* It is an uſuall thing for your confederacie, to charge the King and his good Subjects with that, which your ſelves are either guilty of, or intend to induce. ſ That was to ſet up two Supremacies. I, G. p. 3. t I. G. p. 9.

2. What, *two Supremacies*, two ſuperlatives, at the ſame time, in the ſame Kingdom? Is this poſſible? What, becauſe there is *ſummus* and *ſupremus*; becauſe there are two ſuperlatives of the ſame word, ſhall we therefore have *two Supremacies* in the ſame Realm? Is not this flatly againſt the *Oath of Supremacy?* Wherein you, and I, and your great Patriots, have ſworn, that *the Kings Highneſſe is the* ONELY SUPREME GOVERNOUR OF THIS REALME, *and of all other his Highneſſe Dominions and Countreys.* But the King hath been ſo long out of your eye, that he is now out of your minde, and the *Parliament* ſhall at leaſt be his corrivall in the *Supremacy*. Take heed, take heed of perjury. I can tell you of ſeverall Acts of Parliament ſince the Reformation, that u lay a penaltie of fourty pounds, upon every particular *perjurie*. If His Majeſtie had all theſe forfeitures, they would ſatisfie his debts, and make him a *glorious King* after all theſe preſſures. u 5 Eliz. 9. &c.

3. But you clip His Majeſties wings, though ye make him flie; and tell us, as x *you conceive, that the Supremum jus Dominii, the ſupreme right of Dominion, which is above all Laws, is not in the* x That the *Supremum jus dominii*, even that, which

is above all laws, is in the King, which, under favour, I conceive, in our State is a *manifeſt error*. I. G. p. 9.

King. To ſay it is in him, *is in this, in our State a manifeſt error*. Why, what's become of the *Oath of Supremacy*? Have we forgot that? Was not that provided for *this State*? In *our State* this is no *error*; in yours it may be; or elſe you are in a *manifeſt error*. Certainly the members have ſworn, that *the King is the* ONLY SUPREME GOVERNOUR OF THIS REALM, or State. And that he is ſo, *as well* IN ALL *Spirituall or Eccleſiaſticall things, or cauſes, as Temporall*. If He be the *onely Supreme*, how ſhall we find another *Supreme*, or an equall to him within his own Dominions? If He be ſo *in all things and cauſes* both *Eccleſiaſticall and Temporall*, what *thing* or *cauſe* is there, wherein he is not the *onely Supreme*; or wherein he hath any other *Supreme* joyned to him? For certain, theſe particles *Onely* and *All*, are excluſive of any copartner.

4. But you will chalk out a way, whereby to elude, or avoid this *Oath*, and the reſtrictions therein. There's a *ſupreme Parliament*, as well as a *ſupreme King*. Or, a *Supremacy* is *in the Parliament, and a Supremacy in the King*. An excellent Arithmetician, he hath learned to multiply; of one, and one onely, he hath made two. Thus have they raiſed diviſion out of unity: and from hence are theſe *diſtractions and diviſions*, which are ſo *repugnant to the weal of the people*. This is one of their new lights, which is borrowed from their multiplying glaſſe, that makes a molehill as bigge as a mountain, and a Spider as large as a Sea-crab. But when the multiplying glaſſe is layed aſide, the ſpider will be but a ſpider.

5. Well, let us ſee, how you make good this *twofold Supremacy*. y *The Supremacy, or the Supremum jus Dominii, that is over all Laws, figere* or *reſigere, to make, or diſannull them at pleaſure, is neither in the King, nor in the Houſes apart, but in both conjoyned*. Here then we are fallen back to *one Supremacy*. And this *Supremacy* is not the Kings *onely*; but it is the Parliaments, as well as his. This is to skip from *Monarchy* to *Ariſtocracy*. Kingdoms indure no corrivals; and z *Kings have no Peers*. But this man hath found one thing, wherein the *King* hath *Peers*; and conſequently is not the *onely ſupreme Governour of this Realm*. Strange, how that *Parliament*, and all ſince that time have been ſo miſtaken, as not to ſee their own right, but to aſcribe all to the

y I. G. p. 9.

z Rex non paré habet in regno ſuo. Bract. temps. *H.* 3. l. 4. c. 24. Sect. 5.

the King; and that in a point of ſo high concernment. Surely they wanted this young Preacher, to bring them in a new light. But I beleeve, it will appeare, that *the Supremacie over all Laws to make, or diſanull them*, is in the King alone, at the Petition of both houſes: and that thoſe *Parliaments* knew full well.

6. For ſatisfaction in this point I ſhall obſerve, what Scriptures, Fathers, and ſome modern writers have reſolved concerning Kings. S. *Petter* plainly and fully [a] aſcribes *Supremacy* to the *King*. *Submit your ſelves* (ſaith he) *to every Ordinance of man for the Lords ſake: Whether it be to the* KING, *as* SUPREME; *or unto Governors, as unto them, that are ſent by him.* Kings are ſent by God; to them therfore we *ſubmit for the Lords ſake*. All other civill *Governours are ſent by the King*; to them therefore we *ſubmit for the Kings ſake*, that ſent them. Anſwerable hereunto are thoſe paſſages in *Tertullian*, that [b] the Emperor is *homo a Deo ſecundus, & ſolo Deo minor*, [c] *in Dei ſolius poteſtate, a quo ſecundus, poſt quem primus, the man ſecond to God, and leſſe then God onely*. That *he is in the power*, or under the Command of *God onely*; *from whom he is the ſecond, and after whom he is the firſt*. *Optatus* ſaies as much; [d] *Super Imperatorem non eſt niſi ſolus Deus, qui fecit Imperatorem*; *There is none above the Emperor, but God alone; who made him Emperor*. And what the *Emperor* was in the Empire; the ſame is the *King of England within his own Dominions*. For [e] *the Crown of England hath been ſo free at all times, that it hath been in ſubjection to no Realm, but* IMMEDIATELY SUBJECT TO GOD, AND TO NONE OTHER. Hence is it called [f] an *Empire*; and [g] the *Imperiall Crown of this Realm*.

[a] 1. S. Pet 2. 13. 14.
[b] Tertul. ad Scap. c. 2.
[c] Tertul. Apol. c. 30.
[d] Optat. l. 3.
[e] 16. *Rich.* 2. 5.
[f] 24. *Hen.* 8. 12. & 1. *Eliz.* 1.
[g] 1. *Eliz.* 1.

7. The Greeke Commentators are ſo full for *obedience to Kings*, that [h] they will not yeeld, that an *Apoſtle* may be freed from this ſubjection. This doctrine S. *Paul* juſtifies; [i] *I ſtand* (ſaith he) *at Cæſars Judgment ſeat*, WHERE I OUGHT TO BE JUDGED. And after this *appeal* he reſolves, that [k] *no man*, not the Preſident himſelf, may judge him, or deliver him to be judged by any other. Nay after this the Preſident himſelf might not releaſe him. So King *Agrippa*, [l] *Had not this man appealed to Cæſar, he might have been ſet at liberty*. Are not theſe ſtrong evidences of the *Kings Supremacy*? That learned *Grotius*

[h] Chryſoſt. Theodoret. Theophilact. Oecum in Rom. 13. 1.
[i] *Act.* 25. 10.
[k] Ib. v. 11.
[l] *Act.* 26. 32.

gives a sure rule, whereby to know, on whom the *Supremacy* is settled. m *That* (saith he) *is the Supreme civill power, cujus actus alterius juri non subsunt, whose actions are not subject to any other mans censure*, or Law. But such is the King, n *Qui sub nullo alio, sed sub solo Deo agit, who lives in subjection to none, but to God onely.* For o *who may say unto him, what doest thou?* When therefore *David* had sinned, he cries out unto the Lord, p *In te solum peccavi, against thee onely have I sinned*, thou onely canst call me to account Hence is that resolution of all the learned of this Church, in the time of King *Henry* VIII. among whom were *Bishop Carnmer*, and *Bishop Latymer*, q *Although Princes do otherwise, then they ought to do, yet God hath assigned* NO JUDGES OVER THEM *in this world, but will have the judgement of them reserved to himself.* And the judgement of the great *Lawyers* in *France* is this, r *Rex solus*, THE KING ONELY IS THE SUPREME LORD *of all the Subjects, aswell Lay, as Ecclesiasticall, within his own Dominions.* s *All other men live under judgment; & cum deliquerint, peccant Deo, peccant & legibus mundi; and when they offend, they sinne against God, and against the Laws of the Land.*

8. But I know, you relye more upon the Laws of this Land, then upon the Laws of God; and upon our Lawyers, rather then the Fathers, and our best Divines. I shall therefore transgresse my profession. & shew you, what their opinion is. t *This Realme* (say the Statutes) *is an Empire, whereof the* KING IS THE SUPREME HEAD; *and consisteth of the Spiritualty and Temporalty*, OVER WHICH THE KING HATH WHOLE POWER, AND JURISDICTION. Are you of this Realm, or are you not? If you be, then are you either of the *spiritualty* or *temporalty* And if of either, then *wholly under the Kings power The whole power is his*; Why seek you to rob him of it? *Of this Realme the King* not the Parliament, is the *Supreme head*: One head not two. He that makes *two Supremacies*, makes a Bul; and he that sets two heads upon one body, frames a monster.

9 Indeed they are so far from having any *Supremacy*, that they are *Subjects* as well in, as out of *Parliament*. u When King *Edward the Confessor* had all the *Earles and Barons* of the Kingdome *assembled in Parliament*, he cals them all, *his leige men My Lords*,

m Hug Grot. de Jure belli l. 1 c. 3. Sect 7.
n Arnob. in Psal. 51. 4.
o Eccles. 8. 4.
p Psal 51. 4.
q Instit. of a Christ man fol. 86. *The supreme and Soveraigne Prince hath none between him and God*, representing the person of God, executing his office, and in this respect bearing his name: *to whom onely he is accountable* Dr. *Corn Burgesse*, Fire of the Sanct. p. 263.
r *Rex solus*, omnium subditorũ, tam Laicorum, quam Ecclesiasticorum, in suis ditionibus *supremus est Dominus* Commo... fact. & Postulat Reg. cogni p 38
s Arnob. in Psal. 51. 4
t 24. *Hen.* 8. 12. & 1 *Eliz.* 1.
u Sir *Rob. Cotton.* p 5.

Lords, you that are MY LEIGE MEN. Perchance you may ſay, the King calls them ſo, but that makes them not ſo. You ſhall therefore have their own acknowledgement, in Parliament, thus. x *We your moſt loving, faithfull, and obedient* SUBJECTS, REPRESENTING THE THREE ESTATES OF YOUR REALME *of England.* Thus the whole *Parliament* united into one body. Falſe therefore is that propoſition, that the King is *Major ſingulis, ſed minor univerſis, greater then any, and leſſe then all the Inhabitants of this Realme.* For here the *repreſentative body of the three Eſtates of this Kingdome,* aſſembled in *Parliament,* in their higheſt capacitie, acknowledge themſelves to be the *Queens Subjects,* and her *moſt obedient Subjects;* becauſe to her, they thus aſſembled, did juſtly owe both *ſubjection,* and *obedience;* which none that are *ſupreme,* can owe. And theſe are due to his Majeſtie *& à ſingulis, & ab univerſis,* from one, and all; from every one ſingly, and from all joyntly.

x 1. *Eliz.* 3.

10. Secondly, when they are aſſembled in *Parliament,* they *Petition,* as well as out of *Parliament.* This is evident by the Acts themſelves; wherein we read, that y *your Soveraigne Lord the King, by the aſſent aforeſaid, and at the* PRAIER OF HIS COMMONS. The ſame words are repeated 2 *Hen.* 5. *c.* 6 & 9. And in Queen *Elizabeths* time, the *Parliament* humble themſelves in this manner, z *That it* MAY PLEASE YOUR HIGHNESSE *that it may be enacted,* &c. I might come down lower, but I ſhall ſatisfie my ſelfe with Sir *Edward Cokes* report, b who aſſures us, that *in ancient times all Acts of Parliament were* IN FORME OF PETITIONS. Mr. *Geree* himſelfe acknowledgeth, they ſhould be ſo now. c *The King* (ſaith he) *may paſſe a Bill for the abolition of Epiſcopacy, when* HIS HOUSES OF PARLIAMENT *think it convenient, and* PETITION FOR IT. Either then the *Houſes* have no *Supremacy,* or elſe they humble themſelves too low, when they Petition *His Majeſtie.* But this *Supremacy of Parliament* is one of the *new lights,* that were lately wafted into this Land in a Scottiſh Cockboate.

y 16. *Ric.* 2.

z 1. *Eliz.* 1.

b Sir *Ed Coke* inſtit. 1 4. *c.* 1. Sect. The ſeverall forms

c 1. G. p. 8.

11. Third'ly, what *Supremacy* can there be in thoſe, that may not lawfully convene, or conſult, till the *King* ſummon them; and muſt diſſolve and depart, when the *King* command. The

Writ

d Rot. Clauſa. An. 50. Hen. 3.

e Sir Rob Cotton, p. 3.

f Sir Ed. Coke in Litleton, l 2 Sect. 164.

g Sir Rob. Cotton p. 8.

h I.G. p. 9.

i Rot. clauſ. An. 50. Hen. 3.

k Speed in Ric. 2, c. 13. n. 102.

l Sir Ed. Coke Inſtit. l 4 c. 1. Sect How Parliaments ſucceed.

Writ it ſelf runs thus, d *prelatis & Magnatibus noſtris*, QUOS VOCARI FECIMUS. *To the Prelates and our Nobles*, WHOM WE HAVE CAUSED TO BE CALLED. And e Sir *Robert Cotton*, out of *Elie Regiſter*, tels us that Parliaments were aſſembled *at firſt as now, Edicto Principis* (not at their own, but) *at the Kings pleaſure*. And Sir *Edward Coke* aſſures me, that f *None can begin, continue, or diſſolve the Parliament, but* BY THE KINGS AUTHORITY. And let me tell you, that if his Majeſtie ſhall withdraw himſelf from *Parliament*, it is not for your great Maſters to inforce him to return, but to g *pray his preſence, and to inform his Majeſtie, that if he forbear his preſence among them fourty dayes, that then by an ancient Statute, they may return abſq; domigerio Regis, to their ſeverall homes*. This is all they ought, or may do.

12. Fourthly, whereas, according to your words, h *the Parliament is to regulate all other Courts*; the Court of Parliament is to be regulated by the King. For the *time*, that is already manifeſted, to be *at his Majeſties pleaſure*. And for the *matter*, that is preſcribed, and limited by the *King*; i *ſuper præmiſſis tractare*, to conſult and adviſe upon ſuch things, as the King nominates, and preſcribes. And if credit may be given to *John Speede*, he tells us, that k the *great Lawyers Judgments*, in King *Richard* II. time, *concerning orderly proceedings in Parliaments*, run thus. *That after the cauſe of ſuch aſſembly is by the Kings Commandement there declared, ſuch Articles, as by the King are limited for the Lords and Commons to proceed in, are firſt to be handled.* But IF ANY SHOULD PROCEED VPON OTHER ARTICLES, AND REFVSE TO PROCEED VPON THOSE LIMITED BY THE KING, *till the King had firſt anſwered their Propoſals, contrary to the Kings Command; ſuch doing herein contrary to the rule of the King*, ARE TO BE PUNISHED AS TRAITORS. And he cites the Law books for what he ſaies. Truly I am the rather induced to beleeve what *Speed* delivers, becauſe Sir *Edward Coke* gives us the reaſon, why, and how far forth, the *King* relies upon his *Parliaments*. l *The King* (ſaith he) *in all his weighty affairs uſed the advice of his Lords and Commons; ſo great a truſt and confidence he had in them. Alwaies provided, that both the Lords and Commons keep them within*

the

the Circle of the Law and Cuſtom of the Parliament. The reaſon, why the King uſeth their advice, is becauſe he *hath a great truſt and confidence in them.* But *alwaies provided that they keepe themſelves within the Circle of the Law, and Cuſtome of Parliament.* But how if they deceive the *Kings truſt*, and abuſe his *confidence?* How if they break the *Lawfull* Circle, and tranſgreſſe the *Cuſtoms of Parliament?* How then? What *Speede* hath recorded, I have ſhewn you. But what the King may do in this caſe, I ſhall leave to the Maſters of the *Law* to determine.

13. Laſt of all, the *King* regulates their conſultations. For in his breaſt it is, whether their *Bills* ſhall become *Laws*, or no. Obſerve; though the *advice* and *aſſent* be theirs, yet the power of *Ordaining*, *Eſtabliſhing*, and *Enacting*, is in the Soveraigne. The Statute books ſhall be my witneſſes. m THE KING *by the advice, aſſent, and authority aforeſaid,* HATH ORDEINED AND ESTABLISHED. And again, n BE IT ENACTED BY THE QUEENS MOST EXCELLENT MAJESTIE, *with the aſſent of the Lords Spirituall, and Temporall, and the Commons*, &c. Hence is it, that they are called *The Kings Laws.* And o *the King is* called *the head of the Law*; becauſe from him it is derived; from him the Law receives both life and force. p *His breaſt is the Shrine*, or deske, wherein all the Laws are ſtored up, and preſerved. If any man make queſtion of this, preſent experience will ſatisfie him. For do not the Houſes at this day Petition His Majeſtie, to make that a Law which they have voted? Take their own words in that high *Meſſage* ſent to *Holdenby* houſe in March laſt. *We the Houſe and Commons, aſſembled in the Parliament of England*, &c. *Do humbly preſent unto your Majeſtie the humble deſires and Propoſitions, agreed upon by the Parliaments of both Kingdoms reſpectively. Vnto which* WE DO PRAY YOUR MAJESTIES ASSENT. *And that they, and all ſuch Bills, as ſhall be tendered to your Majeſtie in purſuance of them, or any of them, may be* ESTABLISHED AND ENACTED FOR STATUTES AND ACTS OF PARLIAMENT, *by your Majeſties Royall aſſent.* Which words, though very high, do manifeſt, that there is neither *Majeſty*, nor *Supremacy*, nor *power* in this, or any other *Parliament*, to make, or repeale Laws. It is at the *Kings pleaſure to eſtabliſh and enact them*,

m 12. Ed. 4. 3. & 2. Hen. 5. 6. 9.

n 13 Eliz. 2. & 27. Eliz. 17.

o Sir Ed. Coke in Littleton, l. 2. Sect. 140.

p Præſumitur Rex habere omnia jurain ſcrinio pectoris ſui. Ib.

them for Laws and Statutes, or not. This our neighbour Scotland ſees, and confeſſeth that *Regall power and authority is chiefly* IN MAKING AND ENACTING LAWS. Declarat. of the Kingd. of Scotland. p. 18.

14. From hence it appears, firſt, that there is *no Supremacy in the Parliament, without the King*. Secondly; That the *Supremum jus Dominii, the ſupreme right of Dominion, which is over laws*, to eſtabliſh or diſanull them, is *in the King alone*. For a *Bill* not *eſtabliſhed*, is of no force, it is no *Law*. 3ly, that q *the King is the ſupreme Magiſtrate* (as you are pleaſed to call Him) *from whom all power of execution of Laws is legally derived*. And 4ly, if the *power of execution* be derived from the King, much more is the *power to regulate*. For he, that gives them power by his *Commiſſion*, to put the Laws in execution, he gives them rules in the ſame Commiſſion, whereby they muſt be guided; and ſets them bounds, which they may not paſſe. If they tranſgreſſe either, the King hath a legall power to revoke their Commiſſions, and to diſpoſe of them, to whom, and when, he pleaſeth. Hence is it, that all Courts, and the Judges of thoſe Courts, are called the *Kings Courts*, and the *Kings Miniſters of Juſtice*. And when we are ſummoned to appear in any *Court of Juſtice*, the Proceſſe runs *Coram Domino Rege, before our Lord the King*: becauſe the Kings perſon and power is there repreſented. And though His Majeſtie be over-born, and againſt all Law and reaſon kept from his Courts of Juſtice, yet in all Writs you are fain to abuſe his Name; though he be no way acceſſary to theſe lawleſſe, and illegall proceedings. How theſe *Courts* have been *regulated*, ſince His Majeſties forced departure, this Kingdom is very ſenſible, and laments to conſider it; God amend it.

q I.G. p. 9.

15. Upon theſe grounds I argue thus. They, that are *Subjects*; they, that are *ſuppliants*; they, that owe obedience to an *higher*; they, that cannot lawfully convene, or conſult, till they be called by another; they, that muſt diſſolve their meeting at anothers command; they, that are to be *regulated* by another; they, that can onely adviſe, perſwade, entreat, but not enact a Law, have no *Supremacy*. But the whole *Parliament* ſever'd from the *King*, are *Subjects*, are *ſuppliants*; they owe

owe obedience to an *higher*; they cannot lawfully convene, or consult, till they be called by His Majestie; at his command, they are to dissolve their meeting; by him they are to be regulated; and q without him they cannot enact a Law. The *Major* is evident, to every intelligent eye. The *Minor* is demonstrated, *Sect.* 6. 7. 8. 9. 10. 11. 12. 13. I must therefore upon these premises necessarily conclude, that the *Parliament*, in that sense you take it, hath no *Supremacy*.

q The Houses of Parliament without the King cannot enact any laws. Declarat. of the Kingd. of Scotland p 19.

16. That nothing may be wanting, I shall give you the resolution of our Sages at Law, concerning the Kings unseparable and incommunicable *Supremacy*; that so all mouthes may be stopped. *Bractons* resolution is this, r *Rex habet potestatem & jurisdictionem super omnes, qui in regno sunt. The King hath power and jurisdiction over all, within his own Kingdom.* *Plowden* saith as much; s *The King hath the* SOLE GOVERNMENT *of his Subjects.* Here is no man, no Societie of men exempted; all under the *King*, and *solely under the King*. Where then is the Parliaments *Supremacy*? Not in this *kingdom*; it must be looked for some where else.

r Bract. temps. *H.* 3. l. 1. c. 34. Sect. 1.

s Plowd. 234. 242.

17. Secondly, t *Ea, quæ sunt Jurisdictionis & pacis ad nullum pertinent nisi ad regiam dignitatem: Those things, which concerne Jurisdiction and Peace, belong to none but onely to the Royall dignity.* u The same he affirmes of *restraint*, and *punishment*. These then belong not to the *Parliament*; since that cannot chalenge *Royall dignity*. Where then is their *Supreme power*? All power almost consists in *Jurisdiction*, ordering of *Peace*, and punishing offenders. And all these are flowers of the Crown. Yea, x *the power of the Militia, of coyning of money, of making Leagues with forreigne Princes; the power of pardoning, of making of Officers, &c. All Kings had them, the said Powers have no beginning.* If then all these and many more are peculiar to *Soveraignty*, what is left for the *Parliament*? Why surely if you will, to be the *Kings Supreme* or chief *Councell*, and *his capitall Court*. This they are; and this is an high honour to them being rightly used.

t Bract ib.

u Ib.

x Lexcerpt. p. 4.

18. Thirdly, y *Omnis sub Rege, & ipse sub nullo; Every one is under the King, but the king is under none, but God onely.* The *Supremacy* then must needs be *in the king*; who is *superior* to all but the God of heaven. And over the *Supreme* there can be no

y Bract. temps. *H.* 3. l. 1. c. 34. Sect. 5.

earthly *ſuperior*. To admit a *comparative* above the *ſuperlative* in the ſame kinde, is a ſoleciſme not onely in *Grammar*, but in reaſon, and Religion. Yet, though no *ſuperior*, there may perchance be an *equall* to this *ſupreme*. There may ſo; but not within his own Dominions. [z] *Rex enim non habet parem in regno ſuo*; [a] *The King* (ſaith the Statute) *hath no Peer in his Land*. And if Juſtice *Jenkins* may be heard, he tels us, that [b] the Houſes in Parliament confeſſe, the *King to be above the repreſentative Body of the Realm*. They are not therefore his equals; and ſo have no *Supremacy*. When I can be perſwaded, that any, or all the Members of the Body are equall to the Head, then I ſhall be apt to beleeve, that there may be *two Supremacies* in a Kingdom. But I am confident, that [c] a wife may as ſafely admit of two husbands, as a Kingdom of *two Supremes*. For [d] the *king* is *Sponſus Regni, that Husband, who by a Ring is eſpouſed to this Realm at his Coronation*. But a *Ring* is ſuperſtitious, and *husbands* are grown out of date. The onely thing in requeſt is liberty, to take or leave what and whom we pleaſe.

19. But [e] *the Parliament is the ſupreme Court, by which all other Courts are to be regulated*: what ſay we to that? This I ſay, that the *Parliament is* [f] *Curia capitalis*, the *ſupreme Court* of this Kingdom: and yet his *Court* it is, whoſe Courts the reſt are. It is therefore called [g] *Curia Regis*, and [h] *Magnum Concilium Regis*, *The kings Court, the kings great Councell*: yea and the *kings Parliament*. Sir *Rob. Cotton* juſtifies it from the *Parliament Rowles*. [i] *Henry* IV. began *his firſt Parliament*. Novemb. 1. [k] The King began *his ſecond Parliament* Jan. 20. And of *Henry* VII. thus: [l] *It is no doubt, but he would have been found as frequent in* HIS GREAT COUNCELL OF PARLIAMENT, *as he was in the Starre-Chamber*. And this very *Parliament*, how oft have they called themſelves, *The kings great Councell?* They are ſo, and they are no more. But why am I ſo carefull to heap up inſtances? Your ſelf call it *His*, the Kings, *Parliament*, p. 2. and *His Houſes of Parliament*, p. 8.

20. If then in your ſenſe, we take the *Houſes* without the *King*, there is no *Supremacy* in them, either ſeverally, or joyntly: ſince they are but Subjects, and the repreſentative body of Subjects. And under this conſideration they cannot *regulate*

z Ib.
a 3 Ed. 3. 19.
b Lex terræ p. 7.
c Nec regna ſocium ferre nec tedæ queunt.
d Sir Ed Coke Reports, p art. 2. Magd. College Caſe.
e I. G. p. 9.
f Sir Rob. Cotton. p 2.
g Ib.
h Sir Ed Coke in Littleton, l 2. S. ct. 164.
i Sir Rob. Cotton p. 8.
k Ib. p. 9.
l Ib p. 11.

late other Courts, unleſſe the *king* give them power to do ſo. But take the *Houſes with the king*, and then it is moſt true, that there is a *Supremacy in the Parliament*; and that it hath power to *regulate all other Courts*. But this *Supremacy* it hath by, and from the *king*; and from no other. We therefore profeſſe with that learned Mr of the Law, that [m] *the Parliament is the* HIGHEST, AND MOST HONORABLE AND ABSOLUTE COURT *of Juſtice of England*, CONSISTING OF THE KING, *the Lords of Parliament, and the Commons. The Lords are here divided into two ſorts, viz.* SPIRITUALL AND TEMPORALL. When ſuch an Aſſembly meets, and each Houſe and the Members thereof keep themſelves within their proper limits, I dare be bold to ſay, that this Court is aſſembled as it ought, [n] for *proviſion for ſupport of the State in men and money; and well ordering of the Church and Common-wealth; and determining of ſuch cauſes, which ordinary Courts neſciebant judicare*, were not skilfull to determine. [o] *Theſe are the cauſes of ſuch Aſſemblies.*

[m] Sir *Ed Coke* in Littleton, l. 2. Sect. 164.

[n] Sir *Rob. Cotton* P. 3.

[o] Ib.

21. But truly, when they are thus aſſembled, I do not conceive, that they have power to [p] *make or diſannull all Laws at pleaſure*; but upon juſt and neceſſary occaſion. For there is great danger in altering Laws without urgent cauſe. Innovation in government makes an alteration in State: & ſudden alterations are not for the ſafety either of bodies naturall, or bodies politicke. Obſerve, what the mirror of his time K. *Iames* ſpeaks: [q] *We are not ignorant of the inconveniences, that do ariſe in Government, by admitting Innovation in things once ſettled by mature deliberation: And* [r] *how neceſſary it is to uſe conſtancy in the upholding of the publik determinations of State. For that ſuch is the unquietneſſe and unſtedfaſtneſſe of ſome diſpoſitions affecting every yeer new formes of things, as if they ſhou'd be followed in their unconſtancy,* WOULD MAKE ALL ACTIONS OF STATE RIDICULOUS *and contemptible. Whereas the* STEDFAST MAINTAINING OF THINGS BY GOOD ADVICE ESTABLISHED, IS THE WEALE OF ALL COMMON-WEALTHS. There is often danger, ſeldom *pleaſure* in the change of Laws. Truly ſince the *Laws* have been neglected, and varietie of *Ordinances* have ſupplied their roome, [t] *We have been fed with the bread of tears,*

[p] The *Supremum jus dominij*, that is over all Laws, to make or diſannull them at *pleaſure*, is neither in the King, nor in the Houſes apart but in both conjoyned, I. G. p. 9.

[q] In his Proclamation before the Book of Common Prayer.

[r] Illud exploratiſſimum eſt, leges patrias aut mutare, aut ad earum obſequium ſeſe non accommodare, negotium ſemper cum periculo fuiſſe conjunctiſſimum. Smith, de Repub. Anglorum l. 1. c. 5.

[t] Pſal. 80. 5. 6.

we have had plentiousnesse of teares to drinke. We are become a very ſtriffe unto our neighbours; and our enemies laugh us to ſcorne.

22. That the *King* in *Parliament* doth uſually make or alter Laws, as the neceſſity of the times, and common good of his Subjects require, is no rare thing. Yet this ought to be done with much care and deliberation; that ſo nothing be enacted, which may be juſtly greivous or deſtructive to his leige people.

s L. G. p. 9. Sithence, according to your determination, s *He cannot lawfully make any ingagement to any, againſt the Laws, and* LEGALL RIGHTS *of others.* Your reaſon is becauſe, u *that were not Cedere jure ſuo, ſed alieno*, a parting with his own, but with other mens rights. The ſame reaſon will hold againſt the *Parliament*. Suppoſe we ſhould grant, what we may not, that the *King* and *Parliament* are equals; it follows neceſſarily, that whatſoever is *unlawfull* for one, is *unlawfull* for any other of the ſame ranke and power. If then it be not *lawfull* for the *King*, neither is it *Lawfull* for his *great Councell*, to take away the *legall rights of others againſt Law*. And therefore not the *legall Rights of Biſhops, Deanes and Chapters*, or any other of the *Clergie*. For by the *Laws* of the Land, we have as firme an intereſt, and as true a freehold in thoſe poſſeſſions, wherein we are admitted, or inducted, as any other of his Majeſties ſubjects have in theirs.

u Ib.

x Potentia ſequi debet juſtitiam, non præire. Aug. de Trin. l. 13. c. 13. Boaſt not of your power; x *power muſt attend upon Juſtice, not go before it*, nor over-rule it. If *Juſtice* take place, it is a judiciall, a *juſt power*; but if *power* over-ſway *Juſtice*, the Government proves tyrannicall.

y The forms of Acts of Parliament ſometimes beein with *Conſeſſum*, or *Statut Rex*. And *of later times* Laws and Statutes begin, as being *enacted by the King*, &c. Declarat. of the Kingd of Scotland, p. 19.

23. As for the *power of making Laws*, we muſt know, that by the *Common Law*, which is guided by the light of nature, and the word of God, that *power* is acknowledged to be in the *King*. Who is *legibus ſuperior*, as * *Fitz harbert ſpeaks*, *above the Law*. But the Soveraignes of this Realme to teſtifie the tender care they have of their peoples welfare, and the deſire they have to injoy their love, have ſo far condeſcended in the *Statute Law*, that they will not henceforth do ſo without the advice & aſſent of the Houſes. This is not to give them a *Supremacie*, but to admit them to advice. This is the way to win the moſt retractary, to ſubmit to thoſe Laws, whereto they have given conſent either in perſon, or by proxy. Beſides, z what

* Nat. Brev. tit. Prohibition fol. 28

z Plurimum facit ad populum cor-

is

is concluded on with good advice, by Common consent, and hath the opprobation of diverse wise, learned, and religious persons, gives better satisfaction to all in generall, then what is done by one alone, be it never so well done. And yet to this day the *power of ordeining, establishing and enacting Laws*, is reserved wholly to the Crowne. Most of these *Statute Laws* are as so many *Royall legacies* bequeathed to this Nation, by the severall Soveraignes and Fathers of this Countrey. [a] *Not a Liberty* or priviledge, [b] *not any Land or tenement*, but is originally derived from the Crowne. Such hath been the goodnesse and bounty of our Princes to us their unworthy subjects. All we have, is from them: and now we take all from them. Is this gratitude? We serve God and the King alike; we are resolved to seize upon all, that is called *sacred*. And I have learned, that not onely [c] the *Kings house*, but [d] his very lands are called in Law *Patrimonium sacrum, the holy Patrimony*. Is not this that *sacra fames*, that *sacred hunger*, which is so greedy of all that is called *sacred*?

rigendum multorum in unâ re sententiâ atque consensus. Hieron. in Gal. 1. 2.

[a] Sir Ed: Coke in Mag Chart. c. 1.
[b] Sir Ed. Coke in Litleton, l. 2. Sect. 139.

[c] Notit. Imperii Orient. c. 139.
[d] Lex terræ. p. 5.

24. Brand not us, poore *Clergie*-men, with foule and fained aspersions; delude not the *People* with false & forged suggestions. [e] Whose *legall priviledges*, or rights have we invaded, or sought after? When did we ever desire, or perswade his Majestie, to do the least injurie to people, or Parliament? Your own conscience clears us in the generall. And your own profession is, that [f] *you cannot but have a better conceit of the major part of the Clergie, at this time, that they will not be so tenacious of their wealth and honour, as to let the Crowne run an hazard.* If then we will, and have parted with that, which is justly ours, rather then in the least manner we would prejudice the *king*, or wrong our own consciences; certainly we cannot perswade the *king* [g] *to make any ingagement to us, against the Laws, and legall rights of others.* If any particular person have offended in this kind, we make no Apologie for him: upon just proofe let him have a legall censure. This Kingdom cannot but take notice, that we have been so far from incroaching upon others, that we have *parted with our own rights, though not with Gods.* We have deserted all we had, to preserve a good conscience. This is truly *cedere jure suo*, to part with our own, that we may not fail

[e] This Oath to the Clergy, cannot ingage him against the *legall privileges* of the people, or Parliament I. G. p. 9.
[f] I. G p. 5. 6.

[g] Ib. p. 9.

faile that truſt, which is committed to us. We juſtifie Gods right, and loſe our own.

h I.Q. p. 9.

25. We confeſſe, that h *the king is bound to maintain the legall priviledges of people and Parliament*; but not ſo, as to deſtroy *Gods rights*, or the priviledges of his *Miniſters*. That be farre from him. i *Suum cuiq;*, the true *Princely juſtice* is, to be juſt to God and man; to give God what is his, and impartially to his ſubjects, what is theirs, as alſo what truly belongs to them in their ſeverall places and profeſſions. His Majeſtie knows full well, that the *liberties of the Subject, the priviledges of Parliament, and rights of the Clergie*, have long conſiſted and proſpered together. Take away the Vine, and the Elme will beare no fruit; take away the Elme, and the Vine will fall to the ground, and be trod to durt.

i Rom. 13 7.

k One of which is to be ready, by confirming *needfull Bills* to relieve the against whatſoever grievance they ſuffer from any. I. G. p. 10.

26. That k the King hath been alwaies *ready to confirme needfull* (not wanton, not malicious, not deſtructive) *Bills*, cannot be denyed by any of his impartiall & conſcionable ſubjects. The quarrell raiſed againſt him is, becauſe he will not ſuffer *Gods inheritance*, and the Churches patrimony to be devoured; becauſe he will not endure *Gods ſervice*, and all Religion to be trampled on; becauſe he endeavours to *releive his poore people the Clergie, againſt whatſoever greivance they ſuffer*, or threatned to be enforced upon them. The ſame favour he alwaies hath, and is at this time forward to afford to all his good people, and loyall ſubjects. Yea, even to thoſe, that are neither good, nor loyall.

27. But before I take my leave of your *Caſe of Conſcience*, I ſhall reſolve you, what a pious deſigne you have ventered on, and what a rock you have run your ſelf upon. You will, I hope like the better of it, becauſe it comes from that Law, you moſt delight in. The Statute ſaith, l *when a man ſecular or Religious ſlayeth his Prelate; to whom he* OWETH FAITH AND OBEDIENCE, *it is Treaſon.* If then it be *Treaſon to ſlay the Prelate*, what ſin is it to murder *Prelacy?* certainly by how much the ſin is greater to deſtroy the *ſpecies*, all mankind, then one particular man; by ſo much is the *Treaſon* more heinous more abominable to kill *Epiſcopacy*, then any one *Biſhop* whatſoever. And yet this you have endeavoured to the utmoſt of your power

l 25 Ed. 3. 2.

power. For this I ſhall leave you to the Law, and to thoſe, [m] *whom the King ſhall ſend for the puniſhment of evill doers.* Pray we therefore for the ſafety of our Soveraigne, and that he may with ſpeed be reſtored to his throne; for theſe times have made us ſenſible with *Rabbi Chanina*, that [n] *were it not for fear of him, alter alterum vivus devoraret*, one would devoure another quicke.

28. [o] *Thus I think*, by this time, I may ſafely conclude, that it *is ſufficiently cleared*, that neither as a *king*, nor as a *Chriſtian*, *may his Majeſtie* in Juſtice, or conſcience, ingage himſelfe, or yeeld *conſent* either to *the extirpation of Epiſcopacy out of this Church of England*, or to the *abrogation of the juſt priviledges of his Clergie*, or to the *alienation of their Lands*. Since by your confeſſion, [p] *he cannot lawfully make any ingagement to any, againſt the Laws and legall rights of others.* And the King is ſo juſt; that he will never do, what *he cannot lawfully do.*

Obſerve the plagues of ſuch men, as are never touched with the miſeries of others. They commonly fall under the ſame judgment, which others unpittied have taſted before. D. *Corn. Burges.* Fire of the Sanct. *p.* 50. 51.

[m] 1. S. Pet. 2. 14.

[n] Apud Jo. Cech in Notis ad Maccoth c. 1. n. 31.

[o] Thus I think the Caſe is ſufficiently cleared, that notwithſtanding the Kings Oath to the Clergie at his Coronation, he may conſent to the extirpation of Prelacy out of the Church of England. I. G. p. 10

[p] Ib. p. 9.

FINIS.

Errata.

PAg. 6. l. 34 Meſſalinus, r. Meſſalinus. p. 20. l. 34. Cardiner r. Gardiner. P. 21. l 33. let, r. ſet. p. 30. l. 21. perpetnll, r perpetuall. p. 31. l 29. cut off. r. caſt off p. 33. l. 20 teneatur, r. tenetur Ib. l. 23 poſſit. r. poſſe. Ib in marg. l 12 quiſquis r. quiſque p. 34 l. 12. are you of r. you are of Ib l. 16. Nation r. Nation into Ib l. 31 diſolate. r deſolate. p. 35 l 29. VIII. r. VII. p 38 l. 20 Rives r River. p. 40. l. 7 depends, r. depend. Ib. l 17 obſtinentis r. obtinentis. p. 51 in marg. l. 13 conceſſimo, r conceſſimus. p 53. l. nlt. diſtructive, r. deſtructive. p. 54. l. 10 not upon, r. not ſet upon. p 55 l. 25. aboliſhet, r. aboliſhed. p. 50. l 2. Overnor, r. Governor. p. 60 l. 21. changing terme, r. changing the terme Ib. l 32 r. and the Miniſterial. p. 63. l. 2. yet r. that p. 83 l nlt title, r. linle. p 84 l. 34. diſtroied, r deſtroyed. p 100. l. penult. irregular, r. regulate p. 111. l. 18. the Juſtice, r. the Juſtices. p. 113 l. 17. after, r. alter. p 116. in marg. l. 4. other, r. other is,